

FEDERAL REGISTER



VOLUME 9

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Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[3d Rev. FPO 9, Amdt. 2]

PART 1220—FEED

LIMITATIONS ON SALE, SHIPMENT, AND INVENTORIES OF PROTEIN MEAL AND ON USE OF SOYBEAN PRODUCTS

Section 1220.2¹ is hereby amended as follows:

Paragraph (g) (1) is amended to read:

(g) *Inventory limitations.* (1) No person shall accept delivery of any protein meal which, together with his inventory of protein meal, would exceed the total tonnage of protein meal needed by such person to fill his manufacturing, sales or feeding requirements, as follows:

(i) Season's requirements for fish meal; and

(ii) Sixty days' requirements for all other protein meal;

Except that:

(a) Any handler or mixed feed manufacturer may accept delivery of a single carload lot (as determined under regulations of the Office of Defense Transportation) of any protein meal if individual deliveries of carload lots are not made more frequently than similar deliveries to such person in the past;

(b) Any feeder may accept delivery at any one time of not to exceed 2,000 pounds of any protein meal if individual deliveries are not made more frequently than similar deliveries to such persons in the past; and

(c) Any ranchman may accept delivery of protein meal in such amounts as are necessary to provide a readily available supply of protein meal for ranch feeding purposes and to make the most economical use of transportation facilities under regulations issued by the Office of Defense Transportation.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of March 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-4510; Filed, March 30, 1944;
4:03 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-4, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WASHINGTON,
D. C., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 1246), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-4 (8 F.R. 13368), relative to the conservation and distribution of fluid milk in the Washington, D. C., milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.38 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "\$0.01" wherever it appears in § 1401.38 (n) and inserting, in lieu thereof, the numeral "\$0.005."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-4, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-4, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(Continued on p. 3477)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Affirmation and ratification of appointment and orders	3479
McNamara, Francis J., appointment as Deputy Custodian	3522
Vesting orders:	
Buechner, Louis C.	3523
Delecker, William R.	3523
Foulon, Charles	3523
Gamberi, Erminio	3526
Marraccini, Eugenio	3528
Obermeyer, Otto	3524
Propper, Adolph	3526
Schaus, Adolf	3524
Scheibe, Hilde, and Kurt Gerbracht	3527
Schramm, William	3524
Schugt, Dr. H. M.	3525
Voigt, Katie	3525
von Gortz, Hubert Francis	3526
COAST GUARD:	
Pilot rules, inland waters; change in effective date	3515
FEDERAL HOUSING ADMINISTRATION:	
War housing insurance; conditions of default in mortgage	3480
FEDERAL POWER COMMISSION:	
Bonneville Project, Oreg.-Wash., hearing	3516
FEDERAL TRADE COMMISSION:	
Hardtmuth, L. & C., Inc., and Koh-I-Noor Pencil Co., Inc., hearing	3519
FOOD AND DRUG ADMINISTRATION:	
Cheese, use of sodium and calcium propionates as optional ingredients	3517
FOREIGN ECONOMIC ADMINISTRATION:	
Prohibited exports:	
Leather, machinery, etc.	3490
Wheat flour	3490
INTERNAL REVENUE BUREAU:	
Playing cards, tax free shipment to possessions and territories for use of armed forces	3480
INTERSTATE COMMERCE COMMISSION:	
Coal, Van Nest, N. Y.; unloading requirement	3521

(Continued on p. 3476)

3475



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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.
 Book 2: Titles 4-9, with index.
 Book 3: Titles 10-17, with index.

CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued.	
Reconsignment permits:	Page
Broccoli, etc., Chicago, Ill.	3520
Cabbage, Chicago, Ill.	3519
Oranges, Minneapolis, Minn.	3519
Potatoes:	
Chicago, Ill.	3519
Evansville, Ind.	3519
Refrigeration orders:	
Cheese, Freeport, Ill.	3520
Lard, Ottumwa, Iowa	3520
Oranges, Florida	3520
Potatoes, Ault, Colo.	3521
Shortening, Berkeley, Calif.	3520
MARITIME WAR EMERGENCY BOARD:	
Voyage, area, and vessel attack bonus, payment to crew members of merchant marine	3521
MINES BUREAU:	
Sodium nitrate, etc., general purchaser's license	3489

CONTENTS—Continued

OFFICE OF DEFENSE TRANSPORTATION:	Page
Common carriers; coordinated operations between Oklahoma City and McLoud, Okla.	3528
Cut flowers and plants, deliveries during holiday periods	3516
OFFICE OF PRICE ADMINISTRATION:	
Anthracite, analyzed; furnishing to laboratories by Anthracite Industries, Inc. (Rev. SR1, Am. 52)	3515
Coal transportation, compensatory adjustments for wartime increases (Reg. 1, Am. 2)	3514
Cooperage and cooperage stock (MPR 481, Am. 3)	3512
Food, rationed; export (Gen. (RO 17)	3508
Food ceiling prices:	
Groups 1 and 2 stores (MPR 423, Am. 13)	3510
Groups 3 and 4 stores (MPR 422, Am. 12)	3510
Foods, processed; rationing (Rev. RO 13, Am. 19)	3513
Fish and seafood (MPR 507, Am. 1, 2) (2 documents)	3511, 3512
Hawaii:	
Gasoline rationing (RO 5F, Am. 6)	3513
Second-hand cars (MPR 373, Am. 29)	3514
Luggage, tax additions (MPR 476, Am. 3)	3508
Lumber and products:	
Douglas fir (RMPR 26, Am. 6)	3513
Stock millwork (RMPR 293, Am. 4)	3514
Meat, fats, fish, cheeses (RO 16, Am. 121)	3514
Puerto Rico (RMPR 183, Am. 30)	3514
Regional and district office orders:	
Community ceiling prices, lists of orders filed (2 documents of orders filed)	3533
Solid fuels:	
Boone, Campbell, and Kenton Counties, Ky.	3531
Hamilton County and Milford, Ohio	3530
Marion County, Ind. (2 documents)	3529, 3530
Sugar rationing (Rev. RO 3, Am. 6)	3513
Tax collection by retailers (Supp. Order 85)	3506
Toys and games (MPR 188, Order 1444)	3528
Wines (Rev. SR 14, Am. 112)	3515
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Federal Light & Traction Co., et al.	3533
National Aviation Corp.	3534
SOLID FUELS ADMINISTRATION FOR WAR:	
Bituminous coal, distribution schedules	3487
CONTENTS—Continued	
SOLID FUELS ADMINISTRATION FOR WAR—Continued.	Page
Pennsylvania anthracite, production and distribution schedules	3481
Poultry brooders and hatcheries, anthracite deliveries to	3481
Utah bituminous coal, shipments to dealers	3486
TREASURY DEPARTMENT:	
Foreign funds control; remittances to liberated areas for living expenses	3489
WAR FOOD ADMINISTRATION:	
Linseed oil (FDO 63, Am. 3)	3479
Milk in designated areas:	
Connecticut	3479
Eastern New England	3477
Flint, Mich.	3478
Manchester, N. H.	3478
Miami, Fla.	3478
Norfolk-Portsmouth-Newport News, Va.	3477
Portland, Maine	3478
Richmond, Va.	3477
Springfield-Holyoke, Mass.	3477
Tampa-St. Petersburg, Fla.	3479
Washington, D. C.	3475
Protein meal and soybean products (3d Rev. FPO 9, Am. 2)	3475
WAR MANPOWER COMMISSION:	
Government employees, transfer and release	3534
Paterson, N. J.; minimum wartime workweek	3534
WAR PRODUCTION BOARD:	
Automotive vehicles (L-270, Int. 3)	3498
Controlled materials plan, allotment procedure (CMP Reg. 1, Dir. 41)	3493
Cutlery (L-140-a)	3495
Ethyl alcohol (M-30, Am. 1)	3498
Food processing machinery (L-92, Int. 1)	3492
Iron and steel production (M-126)	3498
Military rating procedure, authority delegation (Dir. 23, Am. 1)	3490
National emergency design specifications:	
Buildings, reinforced concrete (Dir. 9, Am. 1)	3491
Lumber, stress grade, and fastenings (Dir. 29, Am. 1)	3491
Steel, structural (Dir. 8, Am. 1)	3490
Resistance welding equipment (L-298)	3492
Scheduled products:	
Safety and Technical Equipment Division (M-293, Table 10)	3494
Tools Division (M-293, Table 12)	3494
Suspension orders, etc.:	
Ceramic Color and Chemical Mfg. Co.	3491
Meldon, Joseph F.	3492
Varnerin's, J., Sons	3492
Vending machines, merchandise (L-27)	3495

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4416; Filed, March 29, 1944;
3:58 p. m.]

[FDO 79-5, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN NORFOLK-PORTSMOUTH-NEWPORT NEWS VA., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof Food Distribution Order No. 79-5 (8 F.R. 13269), relative to the conservation and distribution of fluid milk in the Norfolk-Portsmouth-Newport News, Virginia, milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.37 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "\$0.01" wherever it appears in § 1401.37 (n) and inserting, in lieu thereof, the numeral "\$0.005."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-5, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-5, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4415; Filed, March 29, 1944;
3:58 p. m.]

PART 1401—DAIRY PRODUCTS

[FDO 79-6, Amdt. 2]

FLUID MILK AND CREAM IN RICHMOND, VA., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-6 (8 F.R. 13370), relative to the conservation and distribution of fluid milk in the Richmond, Virginia, milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended, as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.39 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "\$0.01" wherever it appears in § 1401.39 (n) and inserting, in lieu thereof, the numeral "\$0.005."

3. By deleting therefrom the provisions of § 1401.39 (h) and substituting therefor, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quota.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-6, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-6, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4417; Filed, March 29, 1944;
3:58 p. m.]

[FDO 79-43, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-43 (8 F.R. 13967), relative to the conservation and distribution of fluid milk in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.74 (i) and inserting in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary,

junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-43, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4418; Filed, March 29, 1944;
3:58 p. m.]

[FDO 79-44, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD-HOLYOKE, MASS., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-44 (8 F.R. 13968), relative to the conservation and distribution of fluid milk in the Springfield-Holyoke, Massachusetts, milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.78 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-44, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-44, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4419; Filed, March 29, 1944;
3:58 p. m.]

[FDO 79-67, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FLINT, MICH.,
METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-67 (8 F.R. 14269), relative to the conservation and distribution of fluid milk in the Flint, Michigan, metropolitan milk sales area, issued by the Director of Food Distribution on October 19, 1943, is amended by deleting the description of the sales area in § 1401.95 (b) and inserting in lieu thereof, the following:

(b) The cities of Flint, Grand Blanc and Mount Morris, and the townships of Burton, Flint, Genesee, Grand Blanc and Mount Morris, all in Genesee County, Michigan.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-67, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-67 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4420; Filed, March 29, 1944;
3:58 p. m.]

[FDO 79-83, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, MAINE,
SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-83 (8 F.R. 14654), relative to the conservation and distribution of fluid milk in the Portland, Maine, milk sales area, issued by the Director of Food Distribution on October 28, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.116 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4422; Filed, March 29, 1944;
3:59 p. m.]

[FDO 79-115, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MIAMI, FLA.,
METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-115 (9 F.R. 632), relative to the conservation and distribution of fluid milk in the Miami, Florida, metropolitan milk sales area, issued by the Director of Food Distribution on January 13, 1944, is hereby amended by deleting therefrom the provisions in § 1401.149 (e) (3) and inserting, in lieu thereof, the following:

Multiply the aforesaid resulting amounts in the case of the base for milk as follows:

	Percent
January	115
February	120
March	130
April	110
May	110
June	90
July	80
August	80
September	85
October	90
November	90
December	100

and, in the case of the base for cream and milk byproducts as follows:

	Percent
January	86.25
February	90.00
March	97.50
April	82.50
May	82.50
June	67.50
July	60.00
August	60.00
September	63.75
October	67.50
November	67.50
December	75.00

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-115, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-115 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4423; Filed, March 29, 1944;
3:59 p. m.]

[FDO 79-116, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN TAMPA-ST.
PETERSBURG, FLA., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-116 (9 F.R. 633), relative to the conservation and distribution of fluid milk in the Tampa-St. Petersburg, Fla., milk sales area, issued by the Director of Food Distribution on January 13, 1944, is hereby amended as follows:

1. Delete from the heading of the order the word “-St. Petersburg”, making the heading of the order read as follows: “Fluid Milk and Cream in Tampa, Fla., Sales Area.”

2. Delete the description of the sales area in § 1401.150 (b) and insert in lieu thereof, the following:

(b) The city of Tampa, and the election precincts numbered 1 to 40, inclusive, 42, 43, 44, that part of 46 comprising part of Temple Terrace City, 58, 59, and 60, in Hillsborough County, Fla.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-116, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-116, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4424; Filed, March 29, 1944;
3:59 p. m.]

[FDO 79-142, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CONNECTICUT
SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-142 (9 F.R. 2534), relative to the conservation and distribution of fluid milk in the Connecticut milk sales area, issued by the Director of Food Distribution on March 1, 1944, is hereby amended as follows:

Delete the provisions in § 1401.175 (g). The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-142, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-142, shall be deemed to be in

full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4425; Filed, March 29, 1944;
3:59 p. m.]

[FDO 63, Amdt. 3]

PART 1460—FATS AND OILS

RESTRICTIONS ON DELIVERY OF LINSEED OIL

Food Distribution Order 63, as amended (8 F.R. 16316, 17398), § 1460.20, is amended as follows:

By deleting paragraph (k) thereof and inserting in lieu thereof the following:

(k) *Records and reports.* (1) No person (except a person who has filed a report of his quota in compliance with paragraph (e) of Food Distribution Order 63, 8 F.R. 9487, issued July 10, 1943), shall after April 15, 1944, deliver or consume any linseed oil which under the terms of this order is chargeable against the quota of such person, unless he shall have on or before April 15, 1944, mailed to the Director a report (which may be in the form of a letter), showing the amount of his quota base, as defined in paragraph (a) (12) hereof, for each of the four calendar quarters in the year.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in linseed oil, including copies of any notices given pursuant to paragraph (e) hereof, and the originals of any such notices received.

(3) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(4) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

This amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. However, with respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 63, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 63, as amended, in effect prior to this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4426; Filed, March 29, 1944;
3:59 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property
Custodian

[Special Reg. 1]

PART 508—SPECIAL REGULATIONS

RATIFICATION OF APPOINTMENTS, ETC.

Under the authority of the Trading with the Enemy Act, as amended, and the Executive orders issued thereunder, and pursuant to law, the undersigned, in order to provide continuity of operation of the Office of Alien Property Custodian, hereby issues the following regulation:

§ 508.1 *Special Regulation No. 1.* (a) (1) The appointment and designation of all employees, appointees, delegates, designees, agents, supervisors, proxies, attorneys, representatives and other personnel heretofore appointed on behalf of the Alien Property Custodian or in the Office of Alien Property Custodian, together with all powers, authority, functions and duties conferred, granted or delegated by virtue of any certificate of appointment, general order, proxy, letter or other instrument of appointment or delegation by or under the authority of Leo T. Crowley as Alien Property Custodian, and

(2) All certificates of appointment, general orders, special orders, orders, regulations, licenses, instructions, directions, delegations, designations, authorizations and forms executed, issued or promulgated by or under the authority of Leo T. Crowley as Alien Property Custodian,

are, except as hereinafter indicated, hereby affirmed, ratified and continued in effect according to their terms until revoked, superseded or terminated by, or by authority of, the undersigned.

(b) Any instrument which might lawfully be issued by or under the authority of the Alien Property Custodian shall not be deemed invalid for the reason that it contains the printed, or otherwise stamped or affixed name “Leo T. Crowley” instead of the name “James E. Markham”, but shall be construed as though it contained the name “James E. Markham” in place of the name “Leo T. Crowley” unless the context otherwise requires.

(c) The certificates of appointment granted to James E. Markham as Deputy Alien Property Custodian dated March 19, 1942 (7 F.R. 2363) and October 30, 1942 (7 F.R. 8911), having no further utility, are hereby terminated and revoked as of this date, but without impairment of any action heretofore taken thereunder or by virtue thereof.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1943); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on March 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4527; Filed, March 31, 1944;
11:00 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter H—War Housing Insurance

PART 577—ADMINISTRATIVE REGULATIONS FOR WAR HOUSING INSURANCE

TRANSFER OF PROPERTY TO THE COMMISSIONER; CONDITIONS OF DEFAULT IN MORTGAGE

Section 577.7 is hereby amended by striking the period at the end of the third sentence thereof and inserting a semicolon and the following:

Provided, however, That a mortgagee may, with and subject to the written consent of the Commissioner, apply partial payments to delinquent interest not in excess of two and one-half per centum (2½%), to the exclusion of prior delinquent principal payments, in which event the date of default shall be thirty (30) days after the due date of the earliest monthly payment, any part of which remains unpaid.

Issued at Washington, D. C. this 27th day of March 1944.

[SEAL] ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 44-4487; Filed, March 31, 1944;
9:24 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5252]

PART 451—EXPORTATION AND SHIPMENT TO CERTAIN POSSESSIONS OF THE UNITED STATES OF CERTAIN MANUFACTURES WITHOUT PAYMENT OF TAX, ETC.

TAX FREE SHIPMENT OF PLAYING CARDS FOR USE OF ARMED FORCES

In order to conform Regulations 73 [Part 451, Title 26, Code of Federal Regulations], relating to exportation without payment of tax of certain manufactures, including playing cards, to section 508 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, Note, Title 26, Code of Federal Regulations, Cum. Supp.] are hereby amended as follows:

PARAGRAPH 1. Immediately preceding Article 1 [§ 451.1 of such Title 26], there is inserted the following:

SEC. 508. EXEMPTION FROM TAX ON PLAYING CARDS EXPORTED FOR USE OF ARMED FORCES OUTSIDE CONTINENTAL UNITED STATES. (Revenue Act of 1943.)

(a) *In general.* Section 1830 (relating to the exemption from the tax upon playing cards exported) is amended to read as follows:

SEC. 1830. EXEMPTION IN CASE OF EXPORTATION. Playing cards may be removed from the place of manufacture for export to a foreign country or for shipment to a possession of the United States (or, until the date on which the President proclaims that hostilities in the present war have terminated, to a territory of the United States for the use of members of the military or naval forces of the United States) without payment of tax, or affixing stamps thereto, under such rules and regulations and the filing of such bonds as the Commissioner, with the approval of the Secretary, may prescribe.

(b) *Effective date.* The amendment made by subsection (a) shall be effective as of January 1, 1942.

PAR. 2. Article 1 [§ 451.1 of such Title 26], is amended as follows:

(A) By inserting "and playing cards" after the word "manufactures" in the third sentence.

(B) By changing the fourth and fifth sentence to read as follows:

The law makes no provision for removal of oleomargarine or adulterated butter without the payment of tax for shipment to the Territories of Alaska and Hawaii, or to possessions other than the Philippine Islands, Puerto Rico, or Virgin Islands. Under the amendment made by section 508 of the Revenue Act of 1943, playing cards may, beginning January 1, 1942, and continuing indefinitely, be removed without payment of tax for shipment to a possession of the United States. By the same amendment, the privilege is granted of removing playing cards without payment of tax for shipment to a territory of the United States for the use of members of the military or naval forces of the United States. However, this privilege, and the amendments of these regulations pursuant thereto, are effective only during the period January 1, 1942, to the date on which the President proclaims that hostilities in the present war have terminated.

PAR. 3. Article 3 [§ 451.3 of such Title 26], is amended by inserting at the end thereof a new paragraph as follows:

Before removal of playing cards without the payment of tax for use of members of the military or naval forces of the United States in Alaska or Hawaii, the manufacturer shall submit to the collector for his district the consent of the surety on his bond to such removal. Such consent shall be executed in duplicate. No particular form has been provided for this purpose; any form may be used so long as it is adequate to accomplish the intended purpose. The collector shall forward to the Commissioner the duplicate consent of surety to be attached to the duplicate bond in force.

PAR. 4. Article 4 (e) [§ 451.4 (e) of such Title 26], as amended by inserting at the end thereof the following:

Each pack of playing cards intended to be removed from the factory for use of members of the military or naval forces of the United States in Alaska or Hawaii shall have affixed in place of the internal revenue stamp a label, which label shall be readily distinguishable from the internal revenue stamp and shall bear the following legend:

Free of tax—for use only of U. S. military and naval forces in Alaska or Hawaii, or for use outside the jurisdiction of the internal revenue laws of the United States.

PAR. 5. Article 5 (a) (1) [§ 451.5 (a) (1) of such Title 26], is amended by inserting at the end thereof the following:

However, where playing cards are removed without payment of tax for shipment to Alaska or Hawaii for the use of military or naval forces of the United States, the case, etc., shall if the shipment is direct, be consigned to the consignee in Alaska or Hawaii, or, if the shipment is to an army port of embarkation or navy supply depot, to the Army port transportation officer or Navy supply officer.

PAR. 6. Article 6 [§ 451.6 of such Title 26], is amended by adding a new paragraph at the end thereof, as follows:

In the case of shipments (other than by parcel post) of playing cards to Alaska or Hawaii without payment of tax for the use of military or naval forces of the United States, the application on Form 550 shall be modified as set forth in article 10 (a) (3), and shall be executed and filed in duplicate. The port of lading, name of vessel, and the port of destination need not be entered on the application Form 550, but in all other respects the preparation, execution, and filing of such application form shall be in accordance with the provisions of this article.

PAR. 7. Article 9 [§ 451.9 of such Title 26], is amended by changing the matter preceding paragraph (a) to read as follows:

With the exception (1) of shipments of playing cards to Alaska or Hawaii without payment of tax for use of members of the military or naval forces of the United States, as to which see article 10 (a) (3); and (2) parcel post shipments, as to which see article 10 (b); the manufacturer, upon release of a shipment for export (art. 8), will deliver such shipment either to the carrier or directly for customs inspection, as follows:

* * * * *

PAR. 8. Article 10 (a) [§ 451.10 (a) of such Title 26], is amended by adding a new subparagraph at the end thereof, as follows:

(3) In the case of shipments of playing cards to Alaska or Hawaii without payment of tax for use of members of the military or naval forces of the United States the Form 550 shall be modified and disposed of as follows:

(i) The manufacturer shall insert on the original Form 550 immediately pre-

ceding the "Certificate of Mailing by Parcel Post", a "Certificate of Receipt" as follows:

CERTIFICATE OF RECEIPT

I certify that the playing cards herein described, except for the discrepancies as listed below, were delivered to me on _____, 19_____, and that said playing cards are intended for shipment or delivery only for consumption or use outside the jurisdiction of the internal revenue laws of the United States, or for delivery to a territory of the United States for the use of military or naval forces of the United States therein.

Discrepancies _____

(Name)

(Title)

(ii) If the shipment is to be made from the factory direct to the consignee in Alaska or Hawaii, the original Form 550, and the case, etc., containing the playing cards, shall be forwarded by the manufacturer to the consignee.

(iii) If the shipment is made to an Army port of embarkation or Navy supply depot for transshipment to Alaska or Hawaii, the original Form 550, and the case, etc., containing the playing cards, shall be forwarded by the manufacturer to the Army port transportation officer, or Navy supply officer, as the case may be.

(iv) Upon receipt and verification of the shipment, the consignee in the territory or the Army or Navy officer in the continental United States to whom the original Form 550 had been forwarded by the manufacturer shall execute the "Certificate of Receipt" appearing on such Form 550, note thereon any discrepancies in the shipment, and return the executed form to the manufacturer. Such executed form shall then be forwarded promptly by the manufacturer to the appropriate collector.

PAR. 9. Article 10 (b) [§ 451.10 (b) of such Title 26], is amended by inserting after the words "by parcel post," in the first sentence "or shipments of playing cards by parcel post to Alaska or Hawaii for use of members of the military or naval forces of the United States."

PAR. 10. Immediately following Article 10 [§ 451.10 of such Title 26], a new article is inserted as follows:

§ 451.10a. *Penalties.* Section 1820 (b) and 3320 (a) of the Internal Revenue Code impose severe penalties for dealing in, within the United States, playing cards upon which the tax properly due has not been paid, or for possessing playing cards with design to avoid payment of the tax thereon. These sections apply to playing cards removed without payment of tax under these regulations, and accordingly, any person possessing, using, or dealing in, such playing cards otherwise than as authorized by these regulations may be subject to penalties prescribed therein.

(Sec. 508, Rev. Act of 1943 (Pub. Law 235, 78th Cong.), and secs. 1830 and 3791

of the Internal Revenue Code (53 Stat. 204, 467; 26 U.S.C., 1830, 3791)

[SEAL] JOSEPH D. NUNAN, Jr.
Commissioner of Internal Revenue.

Approved March 29, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4506; Filed, March 30, 1944;
11:33 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 5, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

ANTHRACITE FOR OPERATORS OF POULTRY BROODERS AND HATCHERIES

Revised Regulation No. 2, as amended, expires March 31, 1944, and will be superseded by Regulation No. 18, effective April 1, 1944. Accordingly, it is necessary to amend Regulation No. 5.

To effectuate the purposes of Executive Order No. 9332 and by virtue of the authority vested by that Order, Regulation No. 5 is amended as follows:

1. Section 602.85 is amended to read as follows:

§ 602.85 *Other regulations.* Nothing contained in Solid Fuels Administration for War Regulation No. 18 shall be deemed (i) to exclude compliance with the provisions of this regulation or (ii) to preclude any action by the Solid Fuels Administrator for War under Solid Fuels Administration for War Regulation No. 1.

This amendment shall become effective at 12:01 a. m. on April 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 30th day of March 1944.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 44-4559; Filed, March 31, 1944;
11:18 a. m.]

[Reg. 18]

PART 602—GENERAL ORDERS AND DIRECTIVES

PENNSYLVANIA ANTHRACITE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of anthracite for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense.

Sec.

602.330 Purpose of regulation.

602.331 Definitions.

602.332 Conditions under which anthracite may be sold, shipped, delivered or received.

Sec.	
602.333	Deliveries to mine employees.
602.334	Deliveries on local sales in the producing region.
602.335	Distribution by producers to timber truckers.
602.336	Distribution by producers and wholesalers of available tonnage.
602.337	Distribution by producers or wholesalers of excess tonnage to other producers or wholesalers (excluding lake dock operators).
602.338	Disposition by SFAW of excess tonnage.
602.339	Distribution by equipped retail dealer to unequipped retail dealers.
602.340	Method for establishing war veteran base period tonnage.
602.341	Receipts by retail dealers restricted.
602.342	Retail dealers required to augment their anthracite supply with other solid fuels.
602.343	Producers and wholesalers to advise retail dealers of base period tonnages and adjustments.
602.344	Information to be furnished by producers and wholesalers to SFAW.
602.345	Review of base period tonnage adjustments.
602.346	Transfers of base period tonnage.
602.347	Producers or wholesalers without a base period tonnage.
602.348	Action under other regulations.
602.349	Evasion prohibited.
602.350	National Anthracite Distribution Committee; Supply and Distribution Subcommittee; Regional Anthracite Distribution Committee.
602.351	Reports.
602.352	Records.
602.353	Audit and inspection.
602.354	Violations.
602.355	Applications for modification and exception; inquiries and communications.
602.356	Official interpretations.
602.357	Regulations revoked hereby.
602.358	Short title.

AUTHORITY: §§ 602.330 to 602.358, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

§ 602.330 *Purpose of regulation.* It is intended that under this regulation each producer and each wholesaler of Pennsylvania anthracite will arrange his production and distribution schedules so as to meet the maximum extent practicable the requirements for such anthracite. It is the responsibility of each producer and of each wholesaler to arrange his production and distribution schedules so that the purposes of this regulation will be effectively carried out. In the absence of unforeseen difficulties, producers and wholesalers should, under this regulation, be able to distribute equitably the available supply of anthracite among all destinations and dealers. This does not mean that there will be enough anthracite to give all consumers all that they want. It is anticipated that many consumers who want anthracite may find it necessary to use some other solid fuel. Retail dealers must arrange to augment their anthracite supply with other solid fuels to the extent necessary to meet minimum essential requirements of consumers. The distribution of anthracite can be equitably accomplished if producers, wholesalers, and retail dealers will act strictly and promptly in ac-

cordance with regulations of the Solid Fuels Administration for War.

§ 602.331 *Definitions.* (a) "Anthracite" means that coal which is generally referred to as Pennsylvania anthracite produced or prepared in the following counties in Pennsylvania: Carbon, Columbia, Dauphin, Lebanon, Lackawanna, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne; and for the purposes of this regulation is limited to the following sizes: broken, egg, stove, chestnut, pea and No. 1 buckwheat, or any combination of those sizes.

(b) "Solid fuel" means any form of anthracite, semi-anthracite, bituminous, sub-bituminous or lignitic coals or coke (including packaged and processed fuels such as briquettes).

(c) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons.

(d) "Producer" means any person engaged in the business of mining or preparing anthracite.

(e) "Wholesaler" means any producer to the extent that he ships, distributes, or sells anthracite to equipped retail dealers, unequipped retail dealers, or lake dock operators; and any person (including a lake dock operator) to the extent that he receives or purchases anthracite for shipment, distribution or resale to equipped retail dealers, lake dock operators, or other wholesalers.

(f) "Lake dock operator" means any person to the extent that he receives anthracite by water at unloading facilities on the Great Lakes.

(g) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler, or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper, or seller of anthracite in any transaction involving a shipment, sale, or sale and delivery, of broken bulk anthracite physically handled in a truck, wagon or other less than carload facility, without regard to quantity or frequency of delivery.

(h) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck scales.

(i) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(j) "Consumer" means any person who acquires anthracite for space heating, domestic hot water, or domestic cooking except to the extent that he acquires such anthracite for space heating incidental to an industrial process or the production of power.

(k) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of anthracite consumed for space heating does not exceed 40 percent of the total annual tonnage of anthracite consumed in the industrial process, the production of power and the space heating.

(l) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical

energy for resale or otherwise, and the operation of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools and office buildings.

(m) "Local sales in the producing region" means all sales or deliveries of anthracite at retail to consumers (other than mine employees) within the following townships and boroughs in the ten counties specified in paragraph (a) of this section: Carbon County—Packer, Lehigh, Mahoning, Mauch Chunk townships and the boroughs of Mauch Chunk and East Mauch Chunk; Columbia County—Locust, Roaring Creek, Beaver and Mifflin townships; Dauphin County—Lykens, Williams, Wiconisco, Jackson, Jefferson and Rush townships; Lackawanna County—all townships; Lebanon County—Cold Spring township only; Luzerne County—all townships except Ross, Fairmont and Huntington; Northumberland County—Coal, Zerbie, West Cameron, East Cameron, Mount Carmel and Upper Mahanoy townships; Schuylkill County—Clifford township only; and Wayne County—Clinton and Canaan townships.

(n) "Deliveries to mine employees" means sales or deliveries of anthracite to such employees of producers of anthracite as are engaged in mining operations or functions directly connected therewith in the vicinity of the mining operations.

(o) "Base period" means the period from April 1, 1942, to March 31, 1943, inclusive.

(p) "Base period tonnage" means the total number of tons of anthracite shipped by any person to any other person during the base period except excludable tonnage as defined in this regulation. The persons as between whom base period tonnages are established under this regulation are specified in §§ 602.334, 602.336, 602.337 (b), 602.339, 602.340, and 602.341.

(q) "Base period tonnage as adjusted" means the base period tonnage as heretofore or hereafter increased or decreased by the Solid Fuels Administration for War.

(r) "Available tonnage" means the total tonnage of anthracite which a producer or wholesaler has in any calendar month for distribution after deducting the tonnage lawfully shipped or scheduled for shipment in that calendar month as follows:

(1) Pursuant to Solid Fuels Administration for War directions;

(2) As excludable tonnage;

(3) To mine employees to the extent permitted by § 602.333;

(4) On local sales in the producing region to the extent permitted by § 602.334;

(5) To timber truckers in the manner and to the extent permitted by § 602.335.

(s) "Excludable tonnage" means only that tonnage of anthracite lawfully shipped or scheduled for shipment in any calendar month by producers or wholesalers directly, or through retail dealers, to the following:

(1) United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(2) Any person to the extent that he acquires anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto;

(3) Any person for use in poultry brooders or hatcheries to the extent permitted under Solid Fuels Administration for War Regulation No. 5.

(t) "Excess tonnage" means that portion of the available tonnage of anthracite which on a cumulative basis from April 1, 1944, to the end of any calendar month exceeds the tonnage necessary to make the shipments to retail dealers and others as required in § 602.336. (Unless shipped to or for the account of other producers or wholesalers as more fully provided in § 602.337, excess tonnage of any producer or wholesaler must be made immediately available to the Solid Fuels Administration for War for allocation to minus producers or minus wholesalers.)

(u) "Deficiency in tonnage" means a tonnage of anthracite which, on a cumulative basis from April 1, 1944, to the end of any calendar month, equals the difference between the available tonnage of anthracite and the tonnage necessary to make the maximum permissible shipments pursuant to § 602.336.

(v) "Plus producer" means a producer who has excess tonnage; "plus wholesaler" means a wholesaler who has excess tonnage.

(w) "Minus producer" means a producer who has a deficiency in tonnage; "minus wholesaler" means a wholesaler who has a deficiency in tonnage.

(x) "Destination" means any city, town, village or community: *Provided, however, That with respect to New York City, the boroughs of Manhattan and Bronx as a unit, Brooklyn and Queens as a unit, and the borough of Richmond, shall be treated as three separate destinations.*

(y) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(z) "SFAW" means Solid Fuels Administration for War.

§ 602.332 *Conditions under which anthracite may be sold, shipped, delivered or received.* No producer, wholesaler or retail dealer shall distribute, ship, deliver, sell or receive any anthracite except in accordance with the provisions of this regulation and other applicable regulations. Any producer, wholesaler or retail dealer who distributes, ships, delivers, sells or receives anthracite, except as provided in the regulations, may, to the extent necessary or appropriate in assuring the equitable distribution of anthracite, be precluded in whole or in part by SFAW from distributing, shipping, delivering or receiving anthracite.

§ 602.333 *Deliveries to mine employees.* A producer may, notwithstanding other provisions of this regulation, deliver and supply, or arrange for the delivery or supply of, the full annual

requirements for anthracite during the period April 1, 1944, to March 31, 1945, of his mine employees.

§ 602.334 *Deliveries on local sales in the producing region.* A producer or wholesaler may, notwithstanding other provisions of this regulation, during the period April 1, 1944, to March 31, 1945, inclusive, deliver or arrange through retail dealers for the delivery to consumers (other than mine employees) of anthracite on local sales in the producing region up to but not in excess of 90 per cent of the aggregate of the base period tonnages, as adjusted, which such producer or wholesaler has established in respect to such local sales in the producing region. In making deliveries of anthracite on local sales in the producing region, no producer, wholesaler or retail dealer shall deliver during the period April 1, 1944, to March 31, 1945, inclusive, to consumers (other than mine employees) more than 90 per cent of the individual consumer's annual requirements for anthracite.

§ 602.335 *Distribution by producers to timber truckers.* Upon receipt of a truckload of timber for use in mining operations, a producer may deliver to the timber trucker one truckload of anthracite. *Provided, however,* That before making any such delivery of anthracite, the producer shall obtain from the timber trucker a statement filled out and signed by the timber trucker, as follows:

Bureau of the Budget No. 42-R668

UNITED STATES
DEPARTMENT OF THE INTERIOR
Solid Fuels Administration for War

I have this day delivered to _____
(Insert producer's name and location of colliery)

one truckload of timber and I have received from that producer one truckload consisting of _____ tons of anthracite which I will deliver to _____

(Insert destination and name of retail dealer, _____). The last load of anthracite consisting of _____ tons which I received from this colliery, I delivered to _____

(Insert destination and name of retail dealer, if any)

To the extent that I am making deliveries of anthracite to consumers, I am observing the provisions of Solid Fuels Administration for War Regulation No. 17.

I understand that all of the foregoing statements are representations to the Solid Fuels Administration for War and that any wilfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that section 35 (A) of the Criminal Code (18 U. S. C. 80) provides, upon conviction, for a fine of not more than \$10,000 or imprisonment for not more than 10 years, or both.

(Signature of timber trucker)

Date: _____
Sales Ticket No. _____
State License No. of Truck _____

§ 602.336 *Distribution by producers and wholesalers of available tonnage—(a) Distribution by producer or wholesaler to equipped retail dealers (except deliveries moving by truck from mine or*

preparation plant). Except as otherwise provided in paragraphs (b) and (c) of this section, each producer and wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage, as defined in this regulation (exclusive of deliveries by truck from a mine or preparation plant which are governed by paragraph (d) of this section) so that by March 31, 1945, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have supplied to each equipped retail dealer in the United States and Canada up to but not in excess of 90 per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer.

(b) *Distribution by producer or wholesaler to lake dock operators.* Each producer and each wholesaler (excluding a lake dock operator) shall arrange his schedule for the distribution of his available tonnage, as defined in this regulation, via the Great Lakes, so that by November 1, 1944, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have shipped to the same lake docks and the same lake dock operators in the United States and Canada (whether they are wholesalers or equipped retail dealers, or both) up to but not in excess of 90 percent of the base period tonnage, as adjusted, established between such producer or wholesaler and such lake dock and lake dock operator.

(c) *Distribution by producer or wholesaler to retail dealers at designated ice-bound ports.* Each producer and each wholesaler may, and upon direction of SFAW shall, arrange his schedule for the distribution of his available tonnage, as defined in this regulation, so that by November 1, 1944, he shall have shipped by water to retail dealers in the United States and Canada (including tidewater dock operators) located at ice-bound ports, to be designated by SFAW, and on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, up to but not in excess of 90 per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and such retail dealer.

(d) *Distribution by producer or wholesaler to retail dealers of anthracite moving by truck from a mine or preparation plant (except sales to mine employees, local sales and sales to timber truckers).* This paragraph (d) governs the distribution of anthracite (except that referred to in §§ 602.333, 602.334 and 602.335) moving by truck from a mine or preparation plant located in any of the counties designated in § 602.331 (a). (This section does not govern the distribution of anthracite by a truck which is loaded at a point outside of the townships and boroughs designated in § 602.331 (m) and which is delivered at a point outside of those townships and boroughs. Such distribution is governed by § 602.339 entitled "Distribution by equipped retail dealer to unequipped retail dealers.")

(1) Each producer and wholesaler shall arrange his schedule for the dis-

tribution of his available tonnage for shipment by truck to each retail dealer with whom he has established a base period tonnage so that during the period April 1, 1944, to March 31, 1945, inclusive, he shall have supplied to each such retail dealer, on the basis, to the maximum extent practicable, of regular equal monthly shipments up to but not in excess of 90 per cent of the base period tonnage, as adjusted, of each such retail dealer.

(2) If in any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, a retail dealer, who customarily receives anthracite by truck, fails to send trucks to the mine or preparation plant to receive his proportionate share of the available tonnage of the producer or wholesaler with whom he has established a base period tonnage, such producer or wholesaler may, subject to the restrictions of this regulation, distribute to other retail dealers a tonnage equivalent to such undelivered tonnage.

(3) If a producer or wholesaler does not have records which establish the base period tonnage of an individual retail dealer, such producer or wholesaler may distribute anthracite to such retail dealer for shipment by truck: *Provided,* That the aggregate tonnage of truck shipments by such producer or wholesaler to all retail dealers do not in any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, exceed $\frac{1}{2}$ of 90 percent of the aggregate base period tonnage, as adjusted, of truck shipments by such producer or wholesaler to all retail dealers.

(4) Before making any delivery to a retail dealer, pursuant to this paragraph (d), a producer or wholesaler shall first obtain the following statement filled out and signed by the driver of the truck:

Bureau of the Budget No. 42-R669

UNITED STATES
DEPARTMENT OF THE INTERIOR

Solid Fuels Administration for War

I have this day received for _____
(Name of retail dealer purchaser)
from _____ tons of anthracite

(Insert name of producer or wholesaler)
which will be delivered to _____
(Insert destination)
This is a designation and name of retail dealer, if any)
destination to which I, or the retail dealer purchaser, delivered anthracite during the period April 1, 1942 to March 31, 1943, inclusive.

I understand that all the foregoing statements are representations to the Solid Fuels Administration for War and that any wilfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that section 35 (A) of the Criminal Code (18 U. S. C. 80) provides, upon conviction, for a fine of not more than \$10,000 or imprisonment for not more than 10 years, or both.

(Signature of truck driver)

Date: _____
Sales Ticket No. _____
State License No. of Truck _____

(e) *Uniform percentage of reduction in shipments required if producer or wholesaler has a deficiency in tonnage.* If in any calendar month a producer's or wholesaler's available tonnage is not sufficient to enable him to supply each retail dealer, lake dock or lake dock operator to whom he shipped anthracite in the base period with the appropriate monthly portion of 90 per cent of the base period tonnage, as adjusted, of each such retail dealer, lake dock or lake dock operator, such producer or wholesaler shall during that month apply a uniform percentage of reduction in shipments to each retail dealer, lake dock and lake dock operator.

§ 602.337 *Distribution by producers or wholesalers of excess tonnage to other producers or wholesalers (excluding lake dock operators).* (a) Except as provided in §§ 602.337 (b) and 602.338 (e), each producer and wholesaler shall, to the maximum extent practicable, arrange with another producer or wholesaler of his own selection (excluding lake dock operators but including any other wholesaler in the United States or Canada) for regular shipment each month to or for the account of such producer or wholesaler of all anthracite which exceeds the tonnage actually shipped or scheduled for shipment during the month (1) pursuant to SFAW directions; (2) as excludable tonnage; (3) to mine workers, or on local sales in the producing region or to timber truckers in the manner and to the extent permitted in §§ 602.333, 602.334 and 602.335, respectively; and (4) as available tonnage to retail dealers and others to the maximum extent permitted under § 602.336.

No producer or wholesaler may receive anthracite from another producer or wholesaler, pursuant to this section, except upon condition that the receiving producer or wholesaler will distribute such anthracite strictly in accordance with this regulation.

(b) In order to assure a fair apportionment of anthracite as between wholesalers in the United States and wholesalers in Canada, the following special provisions and restrictions are necessary:

(1) There is hereby established as the base period tonnage between each producer or wholesaler in the United States and wholesalers in Canada in the aggregate the total tonnage of anthracite shipped by such producer or wholesaler in the United States to or for the account of all wholesalers in Canada during the base period.

(2) Each producer and each wholesaler in the United States shall determine the percentage of the total tonnage shipped by him during the base period to or for the account of all wholesalers, in the United States and Canada, that was shipped by him to or for the account of wholesalers in Canada in the aggregate.

(3) No producer or wholesaler in the United States shall during any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, ship a greater percentage of his excess tonnage

to or for the account of wholesalers in Canada in the aggregate than the percentage determined in subparagraph (2) of this paragraph (b).

(4) Subject to the further restriction imposed by subparagraph (3) of this paragraph (b) no producer or wholesaler in the United States shall ship or schedule for shipment to or for the account of wholesalers in Canada in the aggregate during the period April 1, 1944, to March 31, 1945, inclusive, a tonnage of anthracite which exceeds 90 per cent of the base period tonnage, as adjusted, of wholesalers in Canada in the aggregate.

§ 602.338 *Disposition by SFAW of excess tonnage.* (a) Any plus producer or plus wholesaler who fails to dispose of his excess tonnage of anthracite in accordance with § 602.337 must make all such excess tonnage immediately available to SFAW for distribution during the period specified in paragraph (b) of this section to minus producers or minus wholesalers.

(b) SFAW directions for the distribution of excess tonnage will be issued within 30 days from the date on which the existence of such excess tonnage is brought to the attention of the Chief of the Anthracite Distribution Division of SFAW. If SFAW fails to issue a direction for the distribution of such excess tonnage within said period of 30 days, the plus producer or plus wholesaler involved may ship to any person he chooses.

(c) Unless otherwise specified in the SFAW direction, a producer or wholesaler shall commence shipment in compliance with such direction within five working days after the receipt of such direction and complete the required shipments within 30 days from the receipt of such direction. If any wholesaler fails to commence shipments in compliance with a direction within five working days after the receipt of the direction, SFAW may reissue such direction to the producer or producers supplying anthracite directly or indirectly to or for the account of such wholesaler and such producer or producers shall be required to comply in full with said direction before making any other shipments directly or indirectly to or for the account of such wholesaler.

A producer or wholesaler to whom a direction is issued by SFAW is required (1) to acknowledge promptly in writing the receipt of the direction and advise SFAW of the date on which shipments will commence and the probable date of completion and (2) to notify SFAW in writing of the date on which shipments have been completed, pursuant to the direction.

(d) If, but only if, the necessity of obtaining an adequate car supply so requires, a producer with excess tonnage may, prior to the receipt of shipping instructions from a wholesaler to whom such excess tonnage has been allocated by SFAW, ship excess tonnage, to the extent necessary to relieve the car supply problem, to any person he wishes. Any producer who takes such action shall forthwith notify SFAW by telegram of the circumstances necessitating the

action, the tonnage shipped and the person to whom the tonnage was shipped.

(e) If it appears to SFAW that during any calendar month from April 1, 1944, to March 31, 1945, inclusive, all producers and wholesalers have made the maximum shipments permissible under § 602.336 to retail dealers, lake dock operators and others and that estimated production for the current calendar month is likely to exceed maximum shipments permissible for that month under § 602.336, SFAW will issue a notification to all producers and wholesalers authorizing them, after making shipments of excludable tonnage and shipments permitted or required under §§ 602.333, 602.334, 602.335, and 602.336 during the current month, to ship the remaining tonnage to any person they choose. Shipments made upon the basis of such SFAW notification will not be considered as a basis for reducing required or permissible shipments under this regulation during succeeding months to any dealer or other person receiving the excess tonnage.

§ 602.339 *Distribution by equipped retail dealer to unequipped retail dealers.* Each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his distribution schedule so that by March 31, 1945, on the basis to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied to each unequipped retail dealer up to but not in excess of 90 per cent of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped dealer. If in any calendar month an equipped retail dealer's available tonnage is not sufficient to enable him to supply each unequipped retail dealer to whom he supplied anthracite in the base period with the appropriate monthly portion of 90 per cent of the base period tonnage, as adjusted, of each such unequipped retail dealer, such equipped retail dealer shall during that month apply a uniform percentage of reduction in shipments to each of his unequipped retail dealers.

If in any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, an unequipped retail dealer fails to send trucks to the yard of the equipped retail dealer to receive his proportionate share of the available tonnage of the equipped retail dealer with whom he has an established base period tonnage, such equipped retail dealer may, subject to the restrictions of applicable regulations, distribute to other unequipped retail dealers or to consumers a tonnage equivalent to such undelivered tonnage.

§ 602.340 *Method for establishing war veteran base period tonnage.* Notwithstanding other provisions of this regulation, any producer, wholesaler or other person may ship to any equipped or unequipped retail dealer who (1) has been honorably discharged from any of the armed forces of the United States, and (2) did not by reason of his service in any of the armed forces of the United

States receive anthracite during each month of the base period, and (3) did not sell, transfer or assign his equipment and business or either to a person now engaged in the retail distribution of anthracite in the same community formerly served by such war veteran retail dealer, the same proportion of available tonnage up to, but not in excess of, 90 per cent of the anthracite shipped by him to such retail dealer during the 12-month period (hereinafter referred to as "war veteran's base period tonnage") immediately preceding the cessation of retail dealer activities because of the entrance of such retail dealer into the armed forces of the United States. If the producer or wholesaler and the war veteran retail dealer differ as to the amount of anthracite shipped to such retail dealer during his war veteran's base period, or if such real dealer believes that his war veteran's base period tonnage figure should be adjusted, application may be made to the appropriate regional representative of the SFAW determination of the war veteran's proper base period tonnage figure. The regional representative will immediately consider the information presented to him by the producer, wholesaler or war veteran dealer and recommend to SFAW to the war veteran's base period tonnage to be established for such dealer. Pending the establishment by SFAW of such war veteran's base period tonnage figure, such war veteran retail dealer may obtain from any producer or wholesaler during any calendar month $\frac{1}{2}$ of the tonnage shown by the producer's or wholesaler's records to have been shipped to such war veteran retail dealer during the twelve months preceding the commencement of his service in the armed forces.

§ 602.341 Receipts by retail dealers restricted. Except as provided in paragraph (e) of § 602.338, no retail dealer may receive (1) from all sources combined a tonnage of anthracite which either exceeds 90 per cent of the sum of his base period tonnages, as adjusted, established between such retail dealer and each of the producers, wholesalers or equipped retail dealers who supplied him during the base period or (2) any anthracite which a producer, wholesaler or equipped retail dealer is not authorized to ship under this regulation.

No retail dealer may receive anthracite except on condition that he will distribute it in accordance with SFAW Regulation No. 17, or other applicable regulations of SFAW.

§ 602.342 Retail dealers required to augment their anthracite supply with other solid fuels. It is the obligation of retail dealers who receive anthracite under this regulation to take all reasonable and necessary steps to augment their anthracite supply with other solid fuels to the extent necessary to assure that the minimum essential solid fuels requirements of the communities which they serve will be met. For this purpose, each retail dealer individually and the retail dealers collectively at any destination shall promptly make arrangements for the receipt in the spring, summer and

fall of a substantial part of the other solid fuels which may be needed to avoid hardship during any part of the year April 1, 1944, to March 31, 1945, inclusive.

§ 602.343 Producers and wholesalers to advise retail dealers of base period tonnages and adjustments. Each producer and wholesaler, on or before the 25th day of April 1944, shall notify each retail dealer to whom he made shipments during the base period of the actual tonnage of anthracite shipped during the base period, including any adjustments thereof approved by SFAW. One copy of such notice shall be forwarded to the Regional Representative of SFAW for the region in which the dealer has his place of business, and one copy of such notice shall be forwarded to the Solid Fuels Administration for War, Washington 25, D. C. The figures shown on such notification shall be subject to review, and may be increased or decreased, by SFAW.

§ 602.344 Information to be furnished by producers and wholesalers to SFAW. (a) Each producer and wholesaler shall, on forms prescribed by SFAW, report in writing to Solid Fuels Administration for War, Washington 25, D. C., on or before the 10th day of May 1944 and the 10th day of each month thereafter, (1) the actual tonnage produced, prepared or purchased and the actual tonnage shipped during the preceding full calendar month, and (2) the actual tonnage produced, prepared or purchased and actual tonnage shipped shown cumulatively from April 1, 1944, to the end of that same calendar month. The report shall set forth the tonnages of broken, eggs, stove, chestnut and pea as a single total covering the domestic sizes and separately set forth the tonnage of No. 1 buckwheat.

(b) From the information contained in the reports required by paragraph (a) of this section, SFAW shall publish once each month figures showing the excess tonnage and the deficiency in tonnage of each producer and each wholesaler in sufficient detail to enable all producers, wholesalers and retail dealers to do their part in carrying out the purposes and provisions of this regulation.

(c) Each producer and wholesaler, on or before the 10th day of May 1944, and the 10th day of each month thereafter, shall report in writing to the Solid Fuels Administration for War, Washington 25, D. C., the tonnage of anthracite shipped during the preceding calendar month to each of the States, Canadian Provinces and key city destinations designated by SFAW and shall certify that the reporting producer or wholesaler is complying strictly with the requirements of this regulation. Such report shall be on a form prescribed by SFAW.

(d) On or before April 25, 1944, each producer and wholesaler shall file with Solid Fuels Administration for War, Washington 25, D. C., an estimate, as accurate as it can be, of the total number of tons of anthracite which will be required under this regulation during the period April 1, 1944, to March 31, 1945,

inclusive, for (1) mine employees, (2) deliveries on local sales in the producing region, and (3) distribution by producers to timber truckers, as more fully provided in §§ 602.333, 602.334 and 602.335, respectively.

(e) Not later than the date specified in this paragraph, each producer, wholesaler and lake dock operator shall file with the Solid Fuels Administration for War, Washington 25, D. C., on forms prescribed by it, detailed information and data with respect to the production, inventories, purchases and distribution of anthracite for the periods indicated below:

(1) Not later than October 15, 1944, for the period April 1, 1944, to September 30, 1944, inclusive;

(2) Not later than April 15, 1945, for the period April 1, 1944, to March 31, 1945, inclusive.

§ 602.345 Review of base period tonnage adjustments. SFAW will review increases in base period tonnages previously authorized and will make such downward adjustments as are appropriate in order more effectively to secure an equitable distribution of the available supply of anthracite.

§ 602.346 Transfers of base period tonnage. (a) If SFAW determines that a producer or wholesaler has discontinued business or has ceased to make shipments of anthracite to the retail dealers to whom he made shipments of anthracite during the base period, SFAW, after considering the recommendation of the National Anthracite Distribution Committee, may direct any producer or wholesaler to make shipments of anthracite to all or any of the retail dealers who fail to receive shipments of anthracite by reason of the circumstances recited in this paragraph.

(b) If an equipped retail dealer discontinues business, each producer or wholesaler who supplied such retail dealer with anthracite in the base period shall promptly notify in writing SFAW which, after consulting the producers or wholesalers supplying such retail dealer, may transfer the base period tonnage, as adjusted, established between such producer or wholesaler and such retail dealer to another retail dealer or other retail dealers located at or near the same destination and authorize or direct such producers or wholesalers to make shipments to such other retail dealer or dealers.

§ 602.347 Producers or wholesalers without a base period tonnage. Any producer or wholesaler who did not make shipments of anthracite during the base period shall make shipments only (1) to or for the account of another producer or wholesaler or (2) upon specific direction of SFAW.

§ 602.348 Action under other regulations. (a) Nothing contained in this regulation shall be deemed to preclude SFAW from taking appropriate action under SFAW Regulation No. 1, as amended or revised, or under any other regulation heretofore or hereafter issued.

(b) Directions heretofore or hereafter issued by SFAW, prohibiting or requiring shipment of any anthracite, shall be complied with notwithstanding provisions of this regulation.

§ 602.349 *Evasion prohibited.* Persons are prohibited from evading any of the provisions of this regulation through a reincorporation, reorganization, arrangement or device of any kind occurring prior or subsequent to the effective date of this regulation, and the successor in interest of any person shall be deemed fully bound by the provisions of this regulation with the same force and effect as though the predecessor had remained in existence. No person subject to this regulation shall change his method of doing business for the purpose of evading any of the provisions of this regulation and no such person shall continue any such evasive practice which may have been entered into subsequent to April 1, 1943. Any person who has any doubts concerning the applicability of this section to his business activities should forthwith make written inquiry of the General Counsel of the Solid Fuels Administration for War, Washington 25, D. C.

§ 602.350 *National Anthracite Distribution Committee; Supply and Distribution Subcommittees; Regional Anthracite Distribution Committee.* (a) The National Anthracite Distribution Committee shall continue to advise with and make recommendations to SFAW with reference to matters of general policy and administration under this regulation. The committee shall consist of: five representatives of the producers, at least one of whom shall be from each of the three anthracite-producing regions (Wyoming, Lehigh and Schuylkill), two representatives of the wholesalers and three representatives of retail dealers and such other members of the solid fuels industry as the Solid Fuels Administrator for War may from time to time appoint.

(b) The Chairman of the National Anthracite Distribution Committee shall, with the approval of SFAW, appoint from the membership of said committee a subcommittee composed of any four members representing producers and wholesalers, which subcommittee shall be known as the Subcommittee on Supply and Distribution. It shall be the function of such subcommittee each month to recommend to the National Anthracite Distribution Committee the distribution of excess tonnage, if any, which should be made in order to carry out the purposes and provisions of this regulation, and the National Anthracite Distribution Committee shall, as soon as feasible thereafter, submit to SFAW its recommendations with regard to the distribution of excess tonnage which should be made.

(c) The Regional Anthracite Distribution Committee created for each of the regions defined and set forth in Appendix A, attached hereto, and made a part hereof, shall continue to advise with and make recommendations to SFAW with reference to the administration of the provisions of this regulation for their

respective regions. Each such committee shall continue to consist of two producers, one wholesaler, and two retail dealers appointed by the Solid Fuels Administrator for War. Recommendations of the Regional Anthracite Distribution Committees in respect to matters of general policy or such other matters as may be specified by SFAW may be referred by SFAW to the National Anthracite Distribution Committee for its consideration and recommendation to SFAW.

§ 602.351 *Reports.* Each person participating in any transaction to which any portion of this regulation applies shall execute and file with SFAW reports and questionnaires on forms to be designated from time to time by SFAW.

NOTE: All reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.352 *Records.* Each person participating in any transaction to which any portion of this regulation applies shall keep and preserve for a period of two years accurate and complete records of all the details of all such transactions.

§ 602.353 *Audit and inspection.* All records required to be kept by this regulation shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of SFAW.

§ 602.354 *Violations.* (a) It is a violation of this regulation for a producer, wholesaler or equipped retail dealer to condition his required or permissible shipments to any person upon the performance by such other person of an act which violates this regulation or any other applicable law of the United States.

(b) Any person who violates any provision of this regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of anthracite by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving anthracite and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code [18 U. S. C. sec. 80 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than ten years, or both)]; or under the Second War Powers Act [50 U. S. C. 633 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than one year, or both)].

§ 602.355 *Applications for modification and exception; inquiries and communications.* (a) Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C.

The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All complaints, inquiries and communications with reference to the administration of this regulation shall be addressed to the Regional Office SFAW for the area primarily concerned with such complaint, inquiry or communication, or to the Solid Fuels Administration for War, Washington 25, D. C.

(c) The Washington Office of SFAW may refer applications for modification of or exception from the provisions of this regulation or any complaints, inquiries and communications relating to the administration of the regulation to the appropriate Regional Office of SFAW for advice and recommendation.

§ 602.356 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

§ 602.357 *Regulations revoked hereby.* SFAW Revised Regulation No. 2, as amended, is hereby revoked. *Provided, however,* That civil or criminal liabilities resulting from violations of that regulation shall not be affected by this section.

§ 602.358 *Short title.* This regulation may be cited as SFAW Regulation No. 18.

This regulation shall take effect at 12:01 a. m. on April 1, 1944.

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels
Administrator for War.

APPENDIX A

Regional Anthracite Distribution Committees have been established for each of the following regions:

(a) Region No. 1: New York City and Westchester, Nassau and Suffolk Counties.

(b) Region No. 2: New York excluding that portion of the State described as being included in Region No. 1.

(c) Region No. 3: New Jersey.

(d) Region No. 4: Pennsylvania.

(e) Region No. 5: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

(f) Region No. 6: Delaware, Maryland, Virginia, and the District of Columbia.

[F. R. Doc. 44-4562; Filed, March 31, 1944; 11:18 a. m.]

[Reg. 19]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL IN UTAH

The fulfillment of requirements for the defense of the United States will create a shortage in the supply of solid fuels for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense. The regulation is issued pursuant to authority conferred by, and in order to effectuate

the purposes of, Title III of the Second War Powers Act, 1942 (56 Stat. 176), Executive Order No. 9125 (7 F.R. 2719) and Executive Order No. 9332 (8 F.R. 5355).

§ 602.370 What this regulation does. The requirements of retail dealers during the next coal year (April 1, 1944–March 31, 1945, inclusive) for bituminous coal produced in the State of Utah will probably exceed the production of such coal, unless there is continuous running time this spring and summer at Utah mines, so that a seasonal loss of production is averted. It is therefore necessary to require retail dealers, who market coal produced in Utah, to receive equal monthly shipments of such coal during the coal year. It is also necessary that industrial consumers of Utah coal make every effort to receive such coal during the 1944–1945 coal year in equal monthly shipments.

§ 602.371 Definitions. (a) "Person" means any person, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

(b) "District 20" means the coal producing district so numbered and described in the Annex to the Bituminous Coal Act of 1937, as amended.

(c) "Coal" or "bituminous coal" means all bituminous and subbituminous coal produced in District 20.

(d) "Producer" means any person (except when engaged in retail dealer transactions) engaged in the business of mining or preparing bituminous coal in District 20 (or the sales agent of such person).

(e) "Wholesaler" means any distributor, jobber, forwarder, or other person (except when engaged in retail dealer transactions) who acts in the capacity of a seller in a transaction involving the resale of bituminous coal produced in District 20 for rail shipment in carload lots.

(f) "Industrial consumer" means any person who consumes bituminous coal in an industrial process, the production of power or space heating which is incidental thereto.

(g) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the operation of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools and office buildings.

(h) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of bituminous coal consumed for space heating does not exceed 40 per cent of the total annual tonnage of bituminous coal consumed in the industrial process, the production of power and the space heating.

(i) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer or wholesaler) to the extent that he acts in the capacity of a supplier, shipper or seller of bituminous coal in any transaction involving a shipment, sale, or sale and delivery, of broken bulk bituminous coal physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

§ 602.372 Equal monthly shipments of District 20 coal to retail dealers are required. (a) Except as provided in § 602.373, producers and wholesalers shall meet the requirements of their retail dealer customers for bituminous coal produced in District 20 and shipped by rail during the period April 1, 1944–March 31, 1945, inclusive, by making the tonnage to meet the requirements of such retail dealers during that period available each calendar month of such period in equal amounts, to the maximum extent practicable.

(b) No producer or wholesaler shall ship District 20 coal by rail to any retail dealer during any calendar month of the period April 1, 1944–March 31, 1945, inclusive, in an amount greater than the regular equal monthly portion of the total amount such producer or wholesaler expects to ship to such dealer during that period. If a retail dealer refuses to accept the regular equal monthly shipment, the producer or wholesaler shall reduce the total annual quota of such retail dealer accordingly and shall ship the coal refused by such dealer to other dealers who are conducting their affairs in accordance with the purpose of this regulation.

(c) Each producer or wholesaler shall, on or before April 15, 1944, notify each retail dealer to whom he expects to ship bituminous coal by rail during the period April 1, 1944–March 31, 1945, inclusive, (1) of the provisions and purposes of this regulation, (2) of the amount of coal by sizes he expects to furnish such dealer during that period, and (3) that such amount will be available during that period for equal monthly shipments.

§ 602.373 Equal monthly shipments of District 20 coal to retail dealers who receive less than 600 tons are not required. Producers may deviate from the mandatory program for equal monthly shipments to retail dealers required by § 602.371 in shipping to retail dealers who receive less than 600 tons of coal during the period April 1, 1944–March 31, 1945, inclusive; but, to the maximum extent practicable, producers should attempt to ship to such retail dealers, and such retail dealers should attempt to receive, coal in equal monthly or quarterly shipments during that period.

§ 602.374 Equal monthly shipments of District 20 coal to industrial consumers are necessary. Producers in District 20 shall urge industrial consumers to order

and receive to the maximum extent practicable, during the period April 1, 1944–March 31, 1945, inclusive, their requirements for District 20 coal in equal monthly shipments; and producers and industrial consumers shall make every effort to arrange their distribution and operating schedules so as to secure a full all-year production at Utah mines.

§ 602.375 Violations. Any person who wilfully violates any provision of this regulation is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

§ 602.376 Approval by Bureau of the Budget. The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§ 602.377 Damages for breach of contract. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with this regulation.

§ 602.378 Applications for modification or exception. Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Area Distribution Manager of the Solid Fuels Administration for War, Salt Lake City, Utah. The applications shall set forth in detail the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

This regulation shall become effective immediately.

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels
Administrator for War.

[F. R. Doc. 44-4561; Filed, March 31, 1944;
11:18 a.m.]

[Reg. 20]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of certain grades and sizes of bituminous coal for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 602.390 Definitions. (a) "Coal" or "bituminous coal" means, unless otherwise specified, all bituminous and subbituminous coal produced in Districts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13, as described in the Annex to the Bituminous Coal Act of 1937, as amended.

(b) "By-product coal" or "coal for by-product use" means bituminous coal that is to be charged into by-product coke ovens for the production of coke for metallurgical uses, production of gas or by-products.

(c) "Other special purpose coal" or "coal for other special purpose uses" means coal, other than by-product coal, (1) used for foundry or other metallurgical purposes in which the coal or its products of combustion come in direct contact with the metal during the processing; (2) used for foundry facings requiring special chemical or physical characteristics; (3) used for production of water gas; (4) charged into producers for the production of gas; or (5) used as a raw material because of special chemical or physical characteristics to form a component part of chemicals, or directly entering into the chemical processes.

(d) "Producer" means any person to the extent that he is engaged in the business of mining coal at a mine producing 50 tons per day or more, or at a mine having rail or river shipping facilities regardless of tonnage produced, or any person who operates a central washery or preparation plant, or the sales agent of such person.

(e) "Wholesaler" means any person to the extent that he purchases and resells coal in not less than cargo or railroad car lots and shall include, without limitation, dock operators, distributors, jobbers and cooperatives.

(f) "Lake receiver" means any commercial dock operator and any industrial consumer, or railroad, to the extent that he or it receives coal by vessel or barge at a dock or other unloading facility located on the Great Lakes.

(g) "Retail dealers" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of solid fuels in any transaction involving a shipment, sale, or sale and delivery, of broken bulk solid fuels physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

(h) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons.

(i) "By-product coal commitment" or "contract for by-product coal" means either (1) a contract to supply by-product coal (i) entered into on or before March 10, 1944, and reported to the Solid Fuels Administration for War in accordance with Regulation No. 16 (9 F.R. 2491) and (ii) not disapproved in writing by the Solid Fuels Administration for War; or (2) a contract to supply by-product coal (i) entered into after March 10, 1944, and (ii) approved in writing by the Solid Fuels Administration for War.

(j) "Other special purpose coal commitment" or "contract for other special

purpose coal" means any contract or agreement to supply other special purpose coal.

(k) "Lake coal commitment" or "contract for lake coal" means either (1) a contract (other than a contract for by-product coal) to ship coal via the Great Lakes (i) entered into on or before February 29, 1944, and reported to the Solid Fuels Administration for War pursuant to Regulation No. 15 (9 F.R. 1501) and (ii) not disapproved in writing by the Solid Fuels Administration for War; or (2) a contract to ship coal (other than by-product coal) via the Great Lakes (i) entered into after February 29, 1944, and (ii) approved in writing by the Solid Fuels Administration for War.

(l) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(m) "Direction" means a direction of the Solid Fuels Administration for War issued pursuant to Regulation No. 1 (8 F.R. 5832) unless otherwise specifically indicated.

(n) "SFAW" means Solid Fuels Administration for War.

§ 602.391 *Schedules for distribution of bituminous coal.* Producers and wholesalers (including dock operators) are required to arrange their distribution schedules for the period April 1, 1944, to March 31, 1945, (1) so that first preference is given to by-product coal and other special purpose coal commitments, in a manner which assures that such commitments are met in full and are, to the maximum extent practicable, met by regular equal monthly shipments (shipments by rail, river or tidewater should be spread through the entire year April 1, 1944, to March 31, 1945; shipments by lake should be spread through the current season of navigation and concluded on or before November 1, 1944), (2) so that a second preference is given (pending further study by SFAW) to lake coal commitments (excluding by-product coal and other special purpose coal commitments) in a manner which will assure that such commitments are, to the maximum extent practicable, met by regular equal monthly shipments.

§ 602.392 *Restrictions in deliveries by certain lake receivers (commercial lake dock operators) to industrial consumers and retail dealer customers.* During the period April 1, 1944, to August 1, 1944, no commercial lake dock operator may deliver to an industrial consumer or retail dealer more than 50 percent of the total tonnage of coal which such commercial lake dock operator is obliged to ship during the period from April 1, 1944, to May 15, 1945, to such industrial consumer or retail dealer.

§ 602.393 *Conditions under which bituminous coal may be shipped, delivered or received.* No person shall distribute, ship, deliver or receive any bituminous coal except in accordance with the provisions of this regulation and other applicable regulations. Any person who

distributes, ships, delivers or receives bituminous coal, except as provided in the regulations, may, to the extent necessary or appropriate in assuring the equitable distribution of bituminous coal, be precluded in whole or in part by SFAW from distributing, shipping, delivering or receiving bituminous coal.

§ 602.394 *SFAW directions.* Directions issued by SFAW, unless they otherwise specifically provide, take precedence over but do not otherwise alter other regulations.

§ 602.395 *Violations.* Any person who violates any provision of this regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of bituminous coal by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving bituminous coal and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than ten years, or both)); or under the Second War Powers Act (50 U.S.C. 633 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than one year, or both)).

§ 602.396 *Applications for modification and exception; inquiries and communications.* (a) Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D.C. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All complaints, inquiries and communications with reference to the administration of this regulation shall be addressed to the Area Distribution Manager of SFAW for the area primarily concerned with such complaint, inquiry or communication, or to the Solid Fuels Administration for War, Washington 25, D.C.

(c) The Washington Office of SFAW may refer applications for modification of or exception from the provisions of this regulation or any complaints, inquiries and communications relating to the administration of the regulation to the appropriate Area Distribution Manager of SFAW for advice and recommendation.

§ 602.397 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing.

ing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

§ 602.398 *Action under other regulations.* Nothing contained in this regulation shall be deemed to preclude the Solid Fuels Administrator for War from taking appropriate action under Solid Fuels Administrator for War Regulation No. 1 or under any other regulation.

This regulation shall take effect immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels
Administrator for War.

[F. R. Doc. 44-4560; Filed, March 31, 1944;
11:18 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Gen. License 32A, as Amended]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FOREIGN FUNDS CONTROL

MARCH 30, 1944.

General License No. 32A, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32A is hereby amended to read as follows:

§ 131.32a *General License No. 32A—(a) Certain remittances to specified liberated areas for living expenses authorized.* A general license is hereby granted authorizing remittances by any individual through any domestic bank to any individual within the liberated areas specified in paragraph (h) of this general license, and any domestic bank is authorized to effect such remittances: *Provided*, The following terms and conditions are complied with:

(1) Such remittances are made only for the necessary living expenses of the payee and his household;

(2) If the payee is not a citizen of the United States, the total of all remittances to such payee and his household effected in any one calendar quarter under this general license may not exceed \$100;

(3) If the payee is a citizen of the United States, the total of all remittances to such payee and his household effected in any one calendar month under this general license may not exceed \$75, except that additional sums not exceeding \$25 in any one calendar month may be remitted for each citizen

of the United States, in addition to the payee, who is a member of such payee's household: *Provided*, That in no case shall a sum in excess of \$150 per calendar month be remitted to any such payee and his household;

(4) Such remittances are not made from a blocked account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, a citizen of the United States who is the payee or a member of his household; and

(5) Such remittances are effected only by the payment of the dollar amount of the remittance to a domestic bank for credit:

(i) When the remittance is to any individual within the area specified in paragraph (h) (1) hereof, to a post-liberation blocked account in the name of "Bank of Sicily, Account AF";

(ii) When the remittance is to any individual within the area specified in paragraph (h) (2) hereof, to a post-liberation blocked account in the name of "Bank of Naples, Account AF".

(b) *Duty of individuals and domestic banks acting under this license.* All individuals making such remittances and all domestic banks effecting such remittances shall satisfy themselves that the foregoing terms and conditions are complied with.

(c) *Reports by domestic banks effecting remittances.* Domestic banks through which any such remittances originate shall execute promptly section A of Form TFR-132 with respect to each such remittance. When so executed, Form TFR-132 shall be forwarded promptly to the domestic bank ultimately transmitting abroad the payment instructions for such remittances and the latter bank shall, upon receipt thereof, execute section B of Form TFR-132 and promptly file such executed report with the appropriate Federal Reserve Bank. If the domestic bank through which any such remittance originates is also the bank ultimately transmitting abroad the payment instructions for such remittance, then such bank shall execute both sections A and B of such report. No report on Form TFR-132 shall be deemed to have been filed in compliance with this general license unless both sections A and B thereof have been duly executed as herein prescribed.

(d) *Reports by domestic banks maintaining post-liberation blocked accounts.* Domestic banks maintaining post-liberation blocked accounts pursuant to this general license shall report promptly the establishment of such accounts, and the balances therein at the end of each calendar month, to the appropriate Federal Reserve Bank.

(e) *Refunds.* Domestic banks are authorized to refund the amount of any remittance ordered pursuant to this general license when such domestic banks are advised that such remittance cannot be effected.

(f) *Waiver of General Ruling No. 11 and General Ruling No. 5A.* Transactions authorized herein and communications with persons in the areas specified

in paragraph (h) hereof relating thereto are authorized notwithstanding General Ruling No. 11. Domestic banks are authorized, notwithstanding General Ruling No. 5A, to send to and receive from the banks referred to in paragraph (a) (5) hereof nonnegotiable bank payment orders covering remittances or refunds authorized herein.

(g) *Definitions.* As used in this general license:

(1) The term "household" shall mean:

(i) Those individuals sharing a common dwelling as a family; or

(ii) Any individual not sharing a common dwelling with others as a family.

(2) The term "post-liberation blocked account" shall mean a blocked account:

(i) Which is established pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account;

(ii) To which funds may be credited only pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account; and

(iii) With respect to which payments, transfers, or withdrawals or other dealings may not be made or effected except pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account.

(h) *Designation of liberated areas to which remittances may be effected.* The liberated areas covered by this general license are:

(1) Sicily;

(2) Sardinia and the following provinces of Italy: Cosenza, Reggio Calabria, Potenza, Foggia, Bari, Brindisi, Catanzaro, Matera, Avallino, Taranto, Lecce, Naples, Salerno, and Benevento.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs., Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4504; Filed, March 30, 1944;
1:53 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

[Gen. License 6]

PART 303—GENERAL LICENSE PERTAINING TO EXPLOSIVES

LICENSE FOR SODIUM NITRATE AND AMMONIUM NITRATE AS FERTILIZER AND SODIUM CHLORATE AS WEED ERADICATOR

General License No. 6 (§ 303.6)¹ is amended to read as follows:

§ 303.6 General purchaser's license for sodium nitrate and ammonium nitrate

¹ 7 F.R. 4760, 6670, 10925; 8 F.R. 564, 1938, 9183, 16503.

as fertilizer and for sodium chlorate as weed eradicator. A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), as amended, to any person as defined therein who, as owner, manager, tenant or sharecropper, operates a tract of land for the production of food, fiber, medicinal herbs, tobacco or inedible oils, authorizing him to purchase and possess sodium nitrate and ammonium nitrate as a fertilizer and sodium chlorate as a weed eradicator on that tract of land and to use them for those purposes thereon. It does not cover any person, citizen or alien, who is prohibited by regulation or proclamation of the War Department or other Federal agency from possessing, using, or controlling explosives or component parts thereof.

This general license relieves persons covered by it from the duty of applying for and securing individual licenses for the purposes specified in it and from the duty of keeping records on the acquisition and use of sodium nitrate, ammonium nitrate, and sodium chlorate. It does not relieve them from any other duty under the Federal Explosives Act or the regulations thereunder, and it does not relieve persons selling or otherwise disposing of sodium nitrate, ammonium nitrate, or sodium chlorate to them from the duty of keeping the records required by section 5 of the act and § 301.14 (d) of the regulations.

This general license expires at the close of business on December 31, 1944, unless sooner terminated.

R. R. SAYERS,
Director.

The foregoing license as amended is approved and all regulations inconsistent therewith are waived.

MICHAEL W. STRAUS,
First Assistant Secretary,
Department of the Interior.

MARCH 28, 1944.

[F. R. Doc. 44-4507; Filed, March 30, 1944;
3:27 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control
[Amtd. 158]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exports* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity, Department of Commerce Number and General License Group

Leather:

Case, bag and strap leather, 0356.00... None
Glove, and garment leather, other,
0339.00..... None

Commodity, Department of Commerce Number and General License Group—Con.

Leather—Continued.

Other upper leathers, 0311.00.....	None
Pip and hog glove & garment leather, 0338.00.....	None
Sheep and lamb glove & garment leather (except shearling), 0336.00.....	None
Machinery-vehicles-automotive, parts & accessories:	
Automobile parts for assembly abroad into complete vehicles with American trade names, 7912.00.....	None
Engines, Diesel & semi-Diesel, for replacement, 7931.30.....	None
Engines, gasoline (carburetor type) for replacement, 7931.50.....	None
Horns, hand & electric, 7926.00.....	None
Motor truck & bus engines, Diesel & semi-Diesel, for assembly, 7928.30.....	None
Motor truck & bus engines, gasoline (carburetor type) for assembly, 7928.50.....	None
Passenger car engines, 7929.00.....	None
Spark plugs, 7921.00.....	None
Other automobile accessories, n.e.s. (include air cleaners, oil rectifiers, taxi-meters & other engine accessories), 7927.00.....	None
Other automobile service appliances & parts, 7931.80.....	None
Machinery-vehicles-miscellaneous:	
Air brake equipment & parts for railroad cars, 7968.00.....	None
Internal-combustion Marine engines (carburetor type) other than detachable motors, 7959.00.....	None
Motorcycles, 7952.00.....	None
Motorcycle parts & accessories (report tires & inner tubes in 2064.00), 7954.00.....	None

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective April 6, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: March 30, 1944.

S. H. LEBENBURGER,
Director, Requirements and Supply
Branch, Bureau of Supplies.

[F. R. Doc. 44-4585; Filed, March 31 1944;
11:37 a. m.]

[Amtd. 159]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Correction in Amendment No. 156.

The General License Group designation for the commodities "wheat flour,

wholly of United States wheat" and "wheat flour, other" as set forth in Amendment No. 156 published March 14, 1944 (9 F.R. 2775), is hereby changed from "None" to "K".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: March 31, 1944.

S. H. LEBENBURGER,
Director, Requirements and Supply
Branch, Bureau of Supplies.

[F. R. Doc. 44-4526; Filed, March 31, 1944;
10:35 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 23 as Amended Jan. 7, 1944,
Amtd. 1]

MILITARY RATING PROCEDURE

Section 903.35. *Directive 23* is hereby amended in the following respect:

By substituting in the place of the second and third sentences of paragraph (c) (1) the following sentences:

The instruments shall be approved by a War Production Board official of such office only after he has determined that the item or items requested are required and that no existing equipment or subcontracting facilities are available which are suitable and appropriate for the purposes for which the items are requested, or that such determination cannot be made within ten days after receipt thereof. An exception to this is that instruments covering any machine tools produced under Defense Plant Corporation pool orders which remain unsold, may be approved if the machine tools are required, notwithstanding the availability of other existing equipment.

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4517; Filed March 30, 1944;
5:01 p. m.]

PART 905—SPECIFICATIONS

[Directive 8, Amtd. 1]

NATIONAL EMERGENCY SPECIFICATIONS FOR DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS

Section 905.1 *Directive No. 8* is amended in the following respects:

1. By striking out the words "a date sixty days after the issuance of this directive" at the end of the first sentence of paragraph (a), and in paragraph (b) and substituting in their place in each paragraph the words "November 9, 1942".

2. By eliminating paragraph (c), and renumbering present paragraph (d) as new paragraph (c).

3. By amending former paragraph (d) (now designated as paragraph (c)) to read as follows:

(c) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Application for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 8.

4. By inserting a new paragraph at the end of the directive as follows:

(d) Said emergency specifications shall not apply to the design of buildings requiring 5 tons or less of structural steel.

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4516; Filed, March 30, 1944;
5:01 p. m.]

PART 905—SPECIFICATIONS

[Directive 9 as Amended Dec. 19, 1942,
Amdt. 1]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN OF REINFORCED CONCRETE BUILDINGS

Section 905.2 *Directive No. 9* is amended in the following respects:

1. By inserting at the beginning of paragraph (a) the words: "Except to the extent permitted by paragraph (d) of this directive", and substituting a comma for the period at the end of the first sentence of said paragraph (a), and adding the following words: "and prior to April 1, 1944. With respect to contracts placed on and after April 1, 1944, National Emergency Specifications for the Design of Reinforced Concrete Buildings, issued by the War Production Board on October 5, 1942,¹ as revised March 30, 1944,² shall govern."

2. By eliminating paragraph (c) and renumbering the present paragraph (d) as paragraph (c).

3. By amending former paragraph (d) (now designated as paragraph (c)) to read as follows:

¹ Not filed with the Division of the Federal Register.

² Filed as part of the original document.

(c) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Application for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 9.

4. By inserting a new paragraph at the end of the directive reading as follows:

(d) Said emergency specifications shall not apply to the design of buildings requiring 5 tons or less of reinforcing steel.

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4518; Filed, March 30, 1944;
5:01 p. m.]

PART 905—SPECIFICATIONS

[Directive 29, Amdt. 1]

NATIONAL EMERGENCY SPECIFICATIONS FOR DESIGN, FABRICATION AND ERECTION OF STRESS GRADE LUMBER AND ITS FASTENINGS FOR BUILDINGS

Section 905.3 *Directive No. 29* is amended by striking out paragraph (d), and renumbering present paragraph (e) as new paragraph (d).

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4519; Filed, March 30, 1944;
5:01 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-507]

CERAMIC COLOR AND CHEMICAL MANUFACTURING COMPANY

Ceramic Color and Chemical Manufacturing Company, a corporation with its principal place of business at New Brighton, Pennsylvania, manufactures and sells colors and chemicals. On July 21, 1943, it filed Form PD-600, applying for permission to receive delivery of 40,000 pounds of black copper oxide. The company by a letter to the War Production Board dated July 21, 1943, stated that Army and Navy priority orders were on hand for this material which could not be filled until that application had

been approved. These statements were false and misleading with respect to orders on hand, and were wilfully made with the intent of deceiving the War Production Board and securing the critical material to which Ceramic Color and Chemical Manufacturing Company was not entitled. The War Production Board granted permission to receive this material and it was so received by the Ceramic Color and Chemical Manufacturing Company, thereby diverting critical materials to uses which would not have been authorized by the War Production Board had the true facts been stated. These statements so made subjected the company to administrative action under the provisions of Priorities Regulation No. 1. In view of the foregoing, it is hereby ordered, that:

§ 1010.507 Suspension order No. S-507.

(a) Deliveries of copper oxide in any form to the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation of copper oxide in any form shall be made to the Ceramic Color and Chemical Manufacturing Company, its successors or assigns; nor shall the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, receive or accept delivery of copper oxide in any form; nor shall any person, firm, or corporation deliver copper oxide in any form to Ceramic Color and Chemical Manufacturing Company, its successors or assigns; unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this suspension order shall apply to the small orders defined in paragraph (c) of Allocation Order M-227 as amended February 24, 1944, or as thereafter amended.

(d) The provisions of this suspension order shall not prevent the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, from receiving or accepting delivery of copper oxide in any form which constitutes the undelivered balance of any purchase or delivery authorized by the War Production Board prior to the date of issuance of this suspension order.

(e) Nothing contained in this order shall be deemed to relieve the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

FEDERAL REGISTER, Saturday, April 1, 1944

(f) This order shall take effect on March 30, 1944, and shall expire on July 30, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4520; Filed, March 30, 1944;
5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-510]

JOSEPH F. MELDON

Joseph F. Meldon of Boston, Massachusetts, in December, 1943, began construction at 553 Dudley Street, Boston, without authorization from the War Production Board. His purpose was to alter the premises into a cafe at a cost of \$2,339.98, which amount exceeded the limit of \$200 permitted by Conservation Order L-41 and was in violation of that order. Notwithstanding a telegraphic warning from the War Production Board on January 5, 1944, he continued construction until January 14th. Joseph F. Meldon was aware of War Production Board restrictions on construction, and doing this construction without authorization and its continuance despite warning to cease, constituted wilful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.510 Suspension Order No. S-510. (a) Neither Joseph F. Meldon, his successors or assigns, nor any other person, shall do any construction on the premises at 553 Dudley Street, Boston, Massachusetts, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph F. Meldon, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 30, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4521; Filed, March 30, 1944;
5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-511]

J. VARNERIN'S SONS

Laurence J. Varnerin and Peter Varnerin, partners doing business under the

name of J. Varnerin's Sons, general contractors, in December, 1943, and January, 1944, did construction work on premises at 553 Dudley Street, Boston, Massachusetts, owned by Joseph F. Meldon, at an estimated cost in excess of the \$200 limit permitted by Conservation Order L-41. They were aware of War Production Board regulations governing construction. Having been warned by a War Production Board telegram on January 5, 1944, against further construction in violation of the order, they stopped work but allowed the owner to use their account to get materials, knowing that such materials were to be used in continuing the unauthorized construction. These actions constituted wilful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.510 Suspension Order No. S-510. (a) Deliveries of material to Laurence J. Varnerin or Peter Varnerin, doing business as J. Varnerin's Sons, or under any other name, their and its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Laurence J. Varnerin or Peter Varnerin, doing business as J. Varnerin's Sons, or under any other name, their and its successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Laurence J. Varnerin or Peter Varnerin, doing business as J. Varnerin's Sons, or under any other name, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 30, 1944, and shall expire on July 30, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4522; Filed, March 30, 1944;
5:01 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, Interpretation 1, as Amended Mar. 31, 1944]

FOOD PROCESSING MACHINERY

The following interpretation is issued with respect to General Limitation Order L-292.

Paragraph (a) (5), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA-5 or higher assigned on certain specified forms (WPB-f17, 576, 748, etc.). These forms in some cases call for the name and address of the supplier.

In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centrifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing \$1000 may not be used to get a 6-can-per-minute can washer costing \$2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4586; Filed, March 31, 1944;
11:57 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-298 as Amended Mar. 31, 1944]

RESISTANCE WELDING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities used in the manufacture of resistance welding equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.107 General Limitation Order L-298—(a) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Resistance welding" means that process for the localized consolidation or joining of metals under pressure and heat, wherein the heat is generated within the metallic parts to be consolidated or joined by the resistance of those

parts to the passage of an electric current.

(3) "Resistance welding equipment" means equipment manufactured for use in the operation of joining metals by the resistance welding process and includes resistance welding machines, resistance welding controls, and resistance welding electrodes.

(4) "Manufacturer" means any person engaged in the business of producing, fabricating or assembling resistance welding equipment, and shall include sales and distribution outlets owned by any such person.

(5) "Dealer" means any person engaged in the business of purchasing resistance welding equipment for resale.

(6) "Order" means any commitment or other arrangement for the delivery of resistance welding equipment whether by purchase, lease, rental or otherwise.

(7) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies or operated on a cost-plus-fixed-fee basis.

(8) "Used resistance welding equipment" means resistance welding equipment that has been delivered to an ultimate consumer.

(b) *Operations reports.* Each manufacturer shall, on or before the 15th day of each month, commencing with the month of August, 1943, file with the War Production Board an operations report on Form WPB-2830, showing orders for new and rebuilt resistance welding equipment and repair parts unfilled, received, shipped and cancelled during the preceding month, in accordance with instructions accompanying the form: *Provided*, That this paragraph (b) shall not apply to orders for electrical circuit breakers or indicating or recording apparatus used with resistance welding equipment, or repair parts for such circuit breakers or indicating or recording apparatus.

(c) *Authorization of purchase orders required.* (1) No manufacturer or dealer shall accept an order for, or deliver any new resistance welding equipment unless the order or delivery is specifically authorized by the War Production Board on Form WPB-1319 (or Form WPB-2752). Application for an authorization, and for a preference rating if none has been previously assigned, is to be made by the purchaser by filing Form WPB-1319, with the War Production Board in accordance with the current instructions for the form. (Applications on Form WPB-2752 will continue to be accepted by the War Production Board until March 15, 1944 only.) The delivery restrictions of this paragraph (c) (1) do not apply to orders received prior to July 27, 1943.

(2) The provisions of paragraph (c) (1) shall not apply to (i) any order of \$200 or less for resistance welding equipment; (ii) any order for resistance welding electrodes; (iii) any order for resistance welding equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration or for incorporation in or attachment to any resistance welding equipment to be

used directly by such agencies; (iv) any purchase order bearing a preference rating assigned on Form CMPL-224, Form GA-1456 or under any order in the P-19 series: *Provided*, That the certificate applying or extending such rating shall state the source of the rating; or (v) any order placed by a manufacturer of, or dealer in, resistance welding equipment.

(d) *Registration of idle equipment.* On receipt of a specific request by the War Production Board, the owner of any idle used resistance welding equipment shall register it by filing with the War Production Board Form WPB-2732, in accordance with instructions which accompany the request.

(e) *Miscellaneous provisions.* (1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise expressly provided herein.

(2) *Reporting provisions.* The reporting requirements of paragraphs (b) and (d) and the form of application prescribed in paragraph (c) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from

and stating fully the grounds of the appeal.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board General Industrial Equipment Division, Washington 25, D. C., Ref.: L-298.

Issued this 31st day of March, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4587; Filed, March 31, 1944;
11:57 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 41, as Amended Mar. 31, 1944]

ALLOTMENT PROCEDURE FOR MANUFACTURERS OF CLASS A PRODUCTS, WHEN USED FOR SHIP REPAIRS AND BUREAU OF SHIPS' SPECIAL NAVY PRODUCTS, WHEN USED FOR SHIP REPAIRS

The following direction is issued pursuant to CMP Regulation 1:

(a) *What this direction does.* This direction explains where a manufacturer is to file applications for allotments of controlled materials needed to make Class A products or Bureau of Ships' Special Navy Products required for ship repairs. The direction applies regardless of whether the repair is capitalized or not. The direction does not cover facilities or equipment which are a part of the plant where the repairs are made, as distinct from products and materials which will be incorporated in the ship. Manufacturers of Class B products other than those included in the Bureau of Ships' Special Navy Product List are not affected by this direction.

(b) *Where to file applications.* The following chart shows where manufacturers of Class A products or Bureau of Ships' Special Navy Products file applications for controlled materials to fill orders received from the following users:

NOTE: Chart amended Mar. 31, 1944.

Type of product	Users	Use	Manufacturers file applications with
Class "A" product (other than BuShips Special Navy).	Army repair yards..... Navy yards, repair..... Minor Navy repair establishments. Private repair yard..... Private dockside..... Navy yards, repair..... Minor Navy repair establishments. Private repair yard.....	All vessels..... All vessels..... All vessels..... All vessels..... All vessels..... All vessels..... All vessels..... All vessels.....	Army repair yard (CMP-4A), Navy yards, repair (CMP-4A), WPB-(CMP-4B). WPB-(CMP-4B). WPB-(CMP-4B). Navy (CMP-4A). Navy (CMP-4A). Navy (CMP-4A).
BuShips Special Navy Products.	Private dockside..... Private repair yard..... Private dockside.....	Naval vessels of the United States or other United Nations. Naval vessels of the United States or other United Nations. Other vessels..... Other vessels.....	Navy (CMP-4A). Navy (CMP-4A). WPB (CMP-4B). WPB (CMP-4B). Navy (CMP-4A).

¹ Application should be made to the Building Materials Division on CMP Code No. 805, "Fabricated Items for Ship Repair Work."

In filing applications on CMP-4B for any product classification, requirements for the manufacture of products to be used for ship repair need not be treated separately but should be included in the manufacturer's application covering the entire product classification.

(c) *Emergencies.* Where a manufacturer of any Class A product or Bureau of Ships'

Special Navy Product for use in making ship repairs receives an order for the product which he did not anticipate and which, in point of fact, he did not take into consideration in applying for his allotment, he should apply for necessary supplemental allotments to the same sources mentioned in paragraph (b) above.

PART 3208—SCHEDULED PRODUCTS

(d) *Information about Bureau of Ships' Special Products List.* Information concerning the classification of specific products as Bureau of Ships' Special Navy Products and as to whether specific minor Navy repair establishments are authorized to obtain Class A products for ship repair; may be obtained from the Bureau of Ships (CMB), Washington, D. C.

(e) *Addresses.* Applications filed with the Navy under this direction should be addressed to the Bureau of Ships, (CMB), Navy Department, Washington, D. C. or, in the case of U. S. Coast Guard contracts, to Headquarters, U. S. Coast Guard, Washington, D. C.; those filed with the Navy or Army Repair Yard should be addressed to the Navy or Army Yard involved, and those filed with the War Production Board should be addressed to the War Production Board, Washington 25, D. C.

(f) *Effective for second quarter and following quarters.* This direction is to be followed in making applications for allotments for the 2d quarter of 1944 and following quarters.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4588; Filed, March 31, 1944;
11:57 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 10,
as Amended Mar. 31, 1944]

SAFETY AND TECHNICAL EQUIPMENT DIVISION

§ 3208.11 Table for Safety and Technical Equipment Division. (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Designation	Applicable forms columns			
	1 Operations report	2 Shipping schedule ¹	3 Application and authorization	4 Calendar months frozen ¹
1. Carbon dioxide fire extinguishers:				
(a) High pressure 15-pound portable carbon dioxide fire extinguishers. (Pounds is based on the weight of the carbon dioxide contained in the cylinder.)	X	3000.30	3003	2
(b) High pressure fixed systems. (The term "fixed system" means any carbon dioxide fire fighting installation, connected to a permanently located reservoir of carbon dioxide.)	X	3000.30	3003	2
(c) Carbon dioxide fire extinguishers mounted on wheels (except motorized fire apparatus) which use high pressure hoses.	X	3000.30	3003	2
(d) All other carbon dioxide fire extinguishers using carbon dioxide from high or low pressure reservoirs, but not including self-propelled or trailer units.	.....	.....	.....	.....
2. Dental handpieces:				
(a) Dental handpieces, including straight, contrain and right-angle types.	.....	3000.68	3003	2
(b) Repair parts for all types of dental handpieces.	.....	3000.68	3003	2

¹ For explanation of time during which shipping schedule is frozen see Paragraph (c) of M-293.

² Form WPB 3401 may be used in place of WPB 3003.
³ The term "high pressure" as used in connection with portable carbon dioxide fire extinguishers and fixed systems refers to equipment using as a carbon dioxide reservoir cylinders which the gas pressure is 500 pounds or more per square inch.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4589; Filed, March 31, 1944; 11:56 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 12, as Amended Mar. 31, 1944]

TOOLS DIVISION

§ 3208.13 Table for Tools Division. (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Operations report	Applicable forms columns	
			1	2
1. Coated abrasive products:				
(a) Standard size sheets (84" x 10 1/2", 9" x 11", and 9" x 13 1/2"). (Purchase orders for 500 reams or more).	Y	3286	.....	3478
(b) Rolls (purchase orders for 500 or more rolls 50 yards long, 24" wide or equivalent).	Y	3286	.....	3478
2. Bearings, anti-friction:				
(None). Anti-friction bearings are exempt from the special reporting provisions of paragraph (b) of Order M-293. Use of anti-friction bearings in excess of certain minimum quantities must submit Form WPB-3833. See Direction 1 to table 12, Order M-293.)				
3. Chain, excluding strand link, anchor and power transmission:				
(a) 9/16" (purchase orders for 2000 pounds or more).	X	2064	3001.57	1
(b) 5/8" (purchase orders for 2000 pounds or more).	X	2064	3001.57	1
(c) 3/4" (purchase orders for 2000 pounds or more).	X	2064	3001.57	1
4. Cranes and monorail systems:				
(a) Overhead travelling cranes with double beams.	.....	1047	1313 and 1313-A-.....	4
(b) Rotary cranes, including Whirley, revolving, and portal cranes.	.....	1047	1313 and 1313-A-.....	4
(c) Locomotive cranes:				
(d) Monorail systems for motor driven cranes and carriers.	.....	1047	1313 and 1313-A-.....	4
(e) Manipulators.				
(f) Pliers, solid joint (purchase orders for \$3,000 or more).	.....	2057	.....	1319
(g) Pliers, solid joint (purchase orders for \$1,000 or more).	.....	2057	.....	1319
(h) Screw drivers, all types (purchase orders for \$5,000 or more).	.....	2057	.....	1319
(i) Wrenches, socket, including driving units (purchase orders for \$10,000 or more).	.....	2057	.....	1319
(j) Wrenches, open end & combination (purchase orders for \$10,000 or more).	.....	2057	.....	1319
(l) Wrenches, adjustable, 22 1/2° angle (purchase orders for \$2,000 or more).	.....	2057	.....	1319
(m) Wrenches, box (purchase orders for \$15,000 or more).	.....	2057	.....	1319
(n) Wrenches, monkey (purchase orders for \$5,000 or more).	.....	2057	.....	1319

¹ For explanation of time during which shipping schedule is frozen see Paragraph (e) of M-293.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4590; Filed, March 31, 1944; 11:56 a. m.]

PART 3291—CONSUMERS DURABLE Goods
 [Limitation Order L-27, as Amended
 Mar. 31, 1944]

VENDING MACHINES: MERCHANDISE

§ 3291.100 *Limitation Order L-27*—
 (a) *Definitions.* For the purposes of this order:

(1) "Merchandise vending machines" means any coin or token operated machine from which merchandise is sold. It includes for example, cigarette, candy, chewing gum, nut, bulk and bottle beverage and food vending machines, photograph vending machines, sanitary napkin vending machines, and drinking cup dispensers. It does not include automatic restaurants (so-called automat) or United States Postage Stamp vending machines.

(2) "Manufacturer" means any person who produces or assembles any merchandise vending machines or parts for merchandise vending machines, or any person who produced or assembled any merchandise vending machines during the twelve month period ending June 30, 1941, whether or not he now produces any.

(3) "Deliver" means to lease, sell, or transfer.

(b) *Restrictions on production and delivery.* (1) No manufacturer shall produce or deliver any merchandise vending machines except sanitary napkin vending machines, which may only be produced according to a quota approved by the War Production Board on Form WPB-2719 (formerly PD-880).

(2) Each manufacturer who wishes to produce or deliver any of these sanitary napkin vending machines must file this form with the War Production Board on or before the 15th day of December, March, June and September according to the instructions accompanying that form. A manufacturer asking permission to produce or assemble sanitary napkin vending machines must file with his first application a letter stating the total number of sanitary napkin vending machines which he produced, assembled or delivered during the twelve month period ending June 30, 1941 and the location of his plant and of any other plants which will produce parts for those machines. If the manufacturer intends to produce or assemble in his own plant, he should state the estimated man hours which will be consumed in the production or assembly of each unit. If the manufacturer intends to have the machines produced for him by another manufacturer, he should state that fact and give the name and location of the other manufacturer.

(c) *Delivery of certain merchandise vending machines not covered.* This order does not restrict the delivery of any merchandise vending machines completely finished before January 15, 1944.

(d) *Reports.* Each manufacturer producing or delivering sanitary napkin vending machines must file, with the War Production Board, quarterly reports on Form WPB-2719 (formerly PD-880) on or before the 15th day of December, March, June and September,

according to the instructions for filing that form.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(g) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of vending machines to a greater extent than does this order, the other order shall govern unless it states otherwise.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
 Recording Secretary.

[F. R. Doc. 44-4592; Filed, March 31, 1944;
 11:56 a. m.]

PART 3291—CONSUMERS DURABLE Goods

[General Limitation Order L-140-a as
 Amended Mar. 31, 1944]

CUTLERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals used in the production of cutlery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.175 *General Limitation Order L-140-a*—(a) *Definitions.* For the purposes of this order:

(1) "Cutlery" means any professional food processing cutlery, as defined in Schedule A, any professional kitchen cutlery, as defined in Schedule B, any household kitchen cutlery, as defined in Schedule C, any household table cutlery, as defined in Schedule D, any pocket cutlery, as defined in Schedule E, any scissors, shears and trimmers, as defined in Schedule F, any hand hair or fetlock clippers, as defined in Schedule G, any industrial cutlery, as defined in Schedule H, and any hunting or fixed blade sheath knife, any carving sets, any poultry shears, any implement designed or intended for manicuring, for pedicuring or for extracting blackheads, including but

not limited to nail files, nail nippers, nail clippers, pushers, picks, cuticle scissors, cuticle pushers, cuticle clippers and cuticle nippers, and any other hand operated, fixed or folding, cutting blade or fork with a handle or handles of any material attached so as to become an integral part of the implement. "Cutlery" shall not include any article of flatware, as defined in Order L-140-b, when issued, or any of the articles subject to Order L-30-d, as amended from time to time, or surgical instruments.

(2) "Manufacturer" means any person engaged in the business of fabricating or assembling any new cutlery from any raw material, purchased parts or previously used or fabricated material, or who performs any hand or mechanical fabricating or assembling operation on an article of cutlery.

(3) "Process" means the first change by a manufacturer in the form of material (whether raw material, semi or fully fabricated material or finished parts) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form by him. Any manufacturer who did not maintain records during the base period as to his processing of metals in terms of weight, but who maintained records in terms of units of cutlery only, may apply all percentages contained in this order and schedules in terms of units rather than in terms of weight.

(4) "Base period" means the period beginning July 1, 1940 and ending June 30, 1941, inclusive.

(5) Gauges when referred to in this order, are subject to commercial tolerances.

(b) *Restrictions on kinds of cutlery which may be manufactured.* No manufacturer shall process any metal for new cutlery which is not of a type defined in a schedule in this order.

(c) *Restrictions on quantity of cutlery produced.* No manufacturer shall process more metal in the production of any new cutlery than the amount specified for that class of cutlery in the appropriate schedule attached to this order.

(d) *Exceptions for military orders.* In addition to the production permitted by paragraph (c) above a manufacturer may process sufficient additional amounts of metal to fill purchase orders or contracts for cutlery to be delivered by him to or for the account of

(1) The War Shipping Administration,

(2) The United States Maritime Commission,

(3) The United States Navy (excluding purchase orders placed by or for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specifically authorize on Form WPB-1319, pursuant to an application filed on said Form, the filling of purchase orders for cutlery for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale within but for use

outside the 48 United States and the District of Columbia. Form WPB-1319 is to be filed and executed only by the Bureau of Naval Personnel, Navy Department, Washington, D. C., and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified.

(4) The United States Army (excluding purchase orders placed by or for delivery to United States Army post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specially authorize on Form WPB-1319, pursuant to an application filed on said form, the filling of purchase orders for cutlery for delivery to and use by post exchanges located in areas designated by the United States Army as "staging areas." Form WPB-1319 is to be filed and executed only by the Army Exchange Service of New York, and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified.

(e) *Specifications.* No manufacturer shall process any metal for the production of any new cutlery which does not conform to the specifications contained in the applicable schedules in this order except that these specifications do not apply to orders for household table cutlery, pocket cutlery and hunting or fixed blade sheath knives, or orders for other cutlery accepted by the manufacturer prior to July 1, 1943: *Provided*, That such orders are for the agencies specified above in paragraph (d).

(f) *Metal restrictions.* No manufacturer shall process any metals other than iron, carbon steel, alloy steel (if not containing nickel), gold and silver in the production of cutlery, except

- (1) Lead for bolsters or rivets;
- (2) Chromium for plating;

(3) Zinc as provided in Schedule G and H of this order subject to the restrictions contained in the M-11 series, as amended from time to time.

(g) *Hardness of knife blades and sharpening steels.* No manufacturer shall process any steel for the production of:

(1) Knife blades for cutlery which when finished tests less than 45, Rockwell C Scale;

(2) Sharpening steel which when finished tests less than 62, or more than 68, Rockwell C Scale.

(h) *Special provision affecting distribution of overruns, rejects and cancellations.* When material for the production of cutlery is obtained with priorities assistance and, because of cancellations of orders or other reasons, can no longer be used for the purpose for which the assistance was given, such material may only be used as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1. Similarly, when such material has been manufactured into cutlery to fill a specific contract and that cutlery, because of overruns, rejects, cancellations or other reasons, cannot be used for that purpose, it may be used or disposed of only as allowed in that section. One of

the ways in which these materials or products may be used or disposed of is outlined in subparagraph (5) of that paragraph, which permits use and disposal in any manner specifically authorized in writing by the War Production Board. Applications for such authorization may be made on Form WPB-1319.

(i) *Partial revocation of L-140.* On and after July 1, 1943, the restrictions contained in L-140 are hereby superseded and L-140 is hereby revoked in so far as it applies to the production of any cutlery other than silver plated flatware restricted in paragraph (b) (5) of that order.

(j) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the production of cutlery inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(k) *Reports.* (1) Prior to July 15, 1943, every manufacturer of cutlery shall execute and file in duplicate with the War Production Board, Washington 25, D. C., Ref: L-140-a, a report as to the aggregate amount of all metals processed by that manufacturer during the base period and grouped in accordance with the classes as specified in the definitions contained in the individual schedules attached to this order. Manufacturers who compute their processing of metals in units in accordance with paragraph (a) (3) of this order may file such report in units. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington 25, D. C., Ref: L-140-a, on or before the 10th day of July, 1943, and on or before the 10th day of each calendar month thereafter, Form WPB-1600 (formerly PD-655).

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cutlery to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (PD-500) with the field

office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(o) *Communications.* All reports to be filed hereunder or communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-140-a.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PROFESSIONAL FOOD PROCESSING CUTLERY

Definitions. "Professional food processing cutlery" means any hand operated knives, cleavers, splitters, sharpening steels, beef tiers, ham stringers, coring hooks, canning or pitting spoons, and other hand cutlery designed for, but not limited to, use in packing houses, quick-freezing plants, canneries and dehydrating plants for slaughtering, cleaning, dressing, boning and otherwise processing meats, poultry, fish, vegetables, fruits, and other food stuffs; and also hand cutlery designed for, but not limited to, use in butcher shops and provision markets for the further processing of meats and other foods.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon, and does not apply to the grind or finish of the blade or bowl, or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional food processing cutlery except that which conforms to the following specifications.

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Minimum length in inches
Butcher knife. Not lighter than .063" in thickness.	1	4	6
Steak knife (Scimitar shape).	1	2	10
Trimming or heading knife.	1	1	
Ribbing knife.	1	1	
Boning knife (Straight blade).	2	2	
Boning knife (Curved blade).	1	1	
Sticking knife.	1	1	6
Sticking knife (chicken).	1	1	
Sticking knife (turkey).	1	1	
Skinning knife.	2	1	
Pinners knife (pinfeather).	1	1	
Sharpening steels.	1	3	
Fish slitting or gutting knife.	1	1	
Fish splitting knife.	1	1	
Fish sliming knife.	1	1	
Fish filet knife.	1	1	
Clam knife.	1	1	
Oyster knife.	2	1	
Scallop knife.	1	1	
Sponge or fishermen's sheath knife.	1	1	
Ham stringer.	1	1	
Beef tier.	1	1	
Fruit canning knife (California type).	1	3	
Canning knife (California type).	1	1	
Tomato knife.	1	1	
Beet topping knife.	1	1	
Pitting spoon.	3	1	
Tomato spoon.	1	1	
Coring hook.	2	1	
Cleavers.	2	1	
Splitters.	2	1	

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional food processing cutlery more iron and steel in the aggregate than 225% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional food processing cutlery.

SCHEDULE B—PROFESSIONAL KITCHEN CUTLERY

Definitions. "Professional kitchen cutlery" means any hand operated knives, forks, scrapers, turners and spatulas used in the preparation of food, designed for, but not limited to, use in the bakery trade and in kitchens of hotels, restaurants, cafeterias, hospitals, institutions and other public eating places.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length," unless otherwise specified, means the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Length in inches
Butcher knife (not heavier than .072" in thickness, nor lighter than .055" in thickness).	1	2	8" Maximum.
Cook's knife (Sabatier shape, no heel, no bolster).	1	2	8" Minimum.
Meat slicer.	2	1	10" Minimum.
Utility slicer.	2	1	8" Maximum.
			5" Minimum.
Paring knife.	2	1	3½" Maximum.
Cook's fork (forged blade).	1	1	14" including handle.
Cook's fork (blanched blade, hardened and tempered).	1	1	
Spatula.	1	3	8" Minimum.
Baker's scraper (1 weight of blade only).	1	1	
Cake turner (spatula type).	1	1	
Hamburg turner (spatula type).	1	1	

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall

process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional kitchen cutlery more iron and steel in the aggregate than 75% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional kitchen cutlery.

SCHEDULE C—HOUSEHOLD KITCHEN CUTLERY

Definitions. "Household kitchen cutlery" means hand operated knives and forks used in the preparation and serving of food, and designed for use in home kitchens.

"Pattern" means the outline shape of the blade of a knife or fork. It does not apply to the grind or finish of the blade or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	Length in inches
Slicer.	2	1	9" maximum
Cook's fork (blanched blade, hardened and tempered).	1	1	10½" maximum (including handle).

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household kitchen cutlery more iron and steel in the aggregate than 35% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household kitchen cutlery.

SCHEDULE D—HOUSEHOLD TABLE CUTLERY

Definitions. "Household table cutlery" means any knife, fork, spoon or any other cutlery of plated or unplated metal, with handles made of other material than metal, designed for the actual serving and eating of food in the home, other than all metal flatware.

"Pattern" means the outline shape of the blade of a knife or fork or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household table cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern
Table knife.	1	1
Dessert fork.	1	1
Dessert spoon.	1	1
Teaspoon.	1	1

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household table cutlery more iron and steel in the aggregate than 50% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household table cutlery.

SCHEDULE E—POCKET CUTLERY

Definitions. "Pocket cutlery" means any folding blade knife.

"Pattern" means the outline shape of the skeleton or frame. It does not apply to the shape of, number of or finishes of blades, or to the type of material, finish or color of the handle.

"Length", unless otherwise specified, means the outside measurement of the skeleton or frame of the knife, subject to a tolerance (plus or minus) of $\frac{1}{16}$ th inch.

"Number of blades per knife" refers only to the number of blades which may be fastened directly or indirectly to each skeleton or frame and does not refer to the shape or finish of the blades. Different styles of blades may be mounted on the same pattern of skeleton or frame. For instance, the specifications state that not more than one blade may be fastened to each skeleton or frame of a pruning, maize or navy knife. The manufacturer may produce as many styles of blades for such pruning, maize or navy knives as he wishes, so long as each completed knife contains only a single blade, irrespective of its style.

Permissible types. No manufacturer shall process metal in the production of pocket cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	No. of blades per knife
General utility knife.	1	1	Maximum 4.
Premium stock knife or cattle knife.	3	1	Maximum 3.
Jack knife. No. of weights, 2.	1	3	2 only.
Pruning, maize or navy knife.	1	1	1 only.
Budding or grafting knife.	1	1	1 only.
Electrician's knife.	1	1	2 only.
Scout knife.	1	1	4 only.
Self opening knife.	1	2	1 only.

FEDERAL REGISTER, Saturday, April 1, 1944

No item in this List E may be made with a handle less than 3% inches in length nor less than $\frac{1}{8}$ of an inch in thickness at the narrowest point.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943 and during any succeeding period of three calendar months, no manufacturer shall process in the production of pocket cutlery more iron and steel in the aggregate than 60% of the average quarterly amount of iron, steel and other metals in the aggregate processed by that manufacturer during the base period in his production of pocket cutlery.

SCHEDULE F—SCISSORS; SHEARS AND TRIMMERS

Definitions. "Scissors" means any two bladed, hand operated cutting implement having two rings, each of a size sufficient to accommodate not more than one finger or thumb in each ring, designed for use in industrial plants, schools, dressmakers' establishments, department stores, homes, etc., for cutting cloth, paper and miscellaneous materials; including nail scissors, but excluding surgical scissors and barber shears and scissors.

"Shears and trimmers" means any two bladed, hand operated cutting implement having one ring of a size sufficient to accommodate two or more fingers and a second ring which is smaller and barber shears or scissors possessing a protruding finger rest, but not including animal and agricultural shears and trimmers or metal cutting shears or snips.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of scissors more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of scissors.

During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of shears and trimmers more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of shears and trimmers.

SCHEDULE G—HAND HAIR CLIPPERS

Definitions. "Hand hair clippers" means clippers operated by hand, designed for but not limited to use in barber shops, beauty parlors, hospitals or homes for cutting human hair, and including fetlock clippers.

"Length" means the over-all measurement of the article from the tip of the stationary handle to the tip of the cap or head.

"Pattern" means the outline shape of the head, cap and handles, including horns and finger rests of the completed article, without the plates. It does not refer to the finish, color or weight of the article.

Permissible types. No manufacturer shall process metal in the production of any hand hair clippers except those which conform to the following specifications:

General description	Maximum No. of patterns	Maximum No. of lengths
Large heavy duty clippers	1	1
Light weight clippers	1	1
Fetlock clippers	1	1

Permissible amount of metal. During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new large heavy duty hand hair clippers and fetlock clippers more iron, steel and zinc in the aggregate than 45% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new large heavy duty hand hair clippers, and fetlock clippers.

During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new light weight hand hair clippers more iron, steel and zinc in the aggregate than 25% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new light weight hand hair clippers.

Restrictions on distribution. On and after July 1, 1943, no manufacturer shall transfer the physical possession of or title to any new light weight hand hair clipper produced after that date except to or for the account of persons acquiring such light weight hand hair clippers for export to and consumption or use in a foreign country.

SCHEDULE H—INDUSTRIAL CUTLERY

Definitions. "Industrial cutlery" means hand operated knives or similar articles designed for use primarily in, but not limited to, shoe, rubber, linoleum, electrical and other manufacturing plants; and in the shipbuilding, storage battery, automotive, tire repair, painting, furniture, office supply and other trades; including but not limited to putty knives, scrapers, wallpaper trimmers, paper hangers' knives, casing knives, corner knives, linoleum knives, roofing knives, manual training knives, wood carving knives, pattern makers' knives, stencil knives, rubber knives, shoe knives, cotton sampling knives, broom corn knives, and similar industrial knives; and also adjustable knife blades with detachable handles designed for essential cutting operations.

Permissible amounts of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of industrial cutlery more iron, steel, and zinc in the aggregate than 200% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of industrial cutlery.

[F. R. Doc. 44-4593; Filed, March 31, 1944; 11:57 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, Interpretation 3]

APPLICATION OF THE TERM "CAPACITY" IN RELATION TO JACKS IN THE SCHEDULES TO LIMITATION ORDER L-270

In order to remove any uncertainty as to the meaning of the term "capacity", as applied to jacks appearing on Schedules A, B and C to Limitation Order L-270, the following official interpretation is issued:

"Capacity" refers to lifting capacity which shall be measured by load raising ability through the entire jacking range from minimum to maximum height.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4594; Filed, March 31, 1944; 11:57 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-30, As Amended Feb. 3, 1944, Amdt. 1]

ETHYL ALCOHOL

Section 3293.66 (Allocation Order M-30) is hereby amended in the following respects:

1. In paragraph (c) (1), third line from the bottom of the products listed, the entire line should be omitted, viz "Natural shellac or shellac substitute."

2. In paragraph (c) (2), the following should be added to the list of products: "Natural shellac or shellac substitute."

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4591; Filed, March 31, 1944; 11:56 a. m.]

PART 3294¹—IRON AND STEEL PRODUCTION

[Conservation Order M-126 as Amended Mar. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.63¹ General Conservation Order M-126—(a) Definitions. For the purposes of this order:

(1) The term "iron or steel" does not include "tin plate" and "terne plate" as defined by Supplementary Order M-21—(e), as amended, or screws, nails, rivets, bolts, wire, strapping or small hardware for joining or other similar essential purposes. The term does include stainless steel.

(2) The term "stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10 per cent or more of chromium with or without nickel and/or other alloying elements.

(3) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(4) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(5) The term "assemble" does not include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "as-

¹ Formerly Part 1176, § 1176.1.

semble" also does not include adding finished parts to an otherwise finished article when the location of one or more of the added parts, or the size or type of one or more of the added parts, is determined by the use to which the ultimate consumer is to put the article.

(6) The term "Bessemer processed steel" means steel made by a process, in which air is blown through molten cast iron contained in a converter.

(7) The term "top cut" means that portion of a steel ingot rejected because it is not of sufficiently high quality for use on the order for which the ingot was melted, but which is normally used for some other purpose.

(b) *Restrictions with respect to List A products*—(1) *Raw material deliveries*. No person shall deliver or accept delivery of any iron or steel (including stainless steel) which he knows or has reason to know will be used to make any item on List A, any part thereof or repair part therefor.

(2) *Fabrication: prohibition*. No person shall process any iron or steel (including stainless steel) to make any item on List A, any part thereof or repair part therefor.

(3) *Assembly*. No person shall assemble any item on List A, any part thereof or repair part therefor, if it contains any iron or steel (including stainless steel).

(4) *Finished item deliveries*. No person shall deliver or accept delivery of any item on List A, any part thereof or repair part therefor, which he knows or has reason to know was made, assembled or delivered in violation of any applicable provisions of this order as amended from time to time.

(c) *Exemption for Army-Navy-Maritime orders*—(1) *List C items*. In the case of any item on List C ordered by or for the account of the Army or Navy of the United States, the United States Maritime Commission and the War Shipping Administration, or ordered for physical incorporation into material to be purchased by or for the account of such agencies, the kind and amount of iron or steel required by the specifications (including performance specifications) applicable to the purchase order or contract may be delivered for and used in the manufacture of the item unless List C says otherwise. However, no stainless steel shall be used unless List C specifically says that it may.

(2) *Other items*. In the case of all articles or parts not governed by List A or C (including those articles and parts excepted from List A), when specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration call for a particular kind or amount of iron or steel (including stainless steel) the iron or steel specified may be used.

(d) *Restrictions on manufacture when the use of iron and steel is not elsewhere prohibited in this order*. No person shall use any iron or steel to make any article or part for which it would be practicable

to use other less scarce material.² No person shall use more iron or steel in making any article or part than is necessary. No person shall use any alloy steel (including stainless steel) to make any article or part for which it is practicable to use carbon steel or iron (other than iron included under the definition of stainless steel).

(e) *Restrictions with respect to other scarce materials*. No person shall use as a substitute for any iron or steel (including stainless steel) any material more critical³ than the material which he is prevented from using by this order.

(f) *Disposition of frozen and excessive inventories*. The disposition of frozen and excessive inventories containing iron or steel (including stainless steel) shall be subject to the applicable provisions of Priorities Regulation No. 13 (\$944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Appeals*. Any appeal from the provisions of this order must be made on Form WPB-1477 (formerly Form PD-500) and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order*. The prohibitions and restrictions contained in this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on, or subsequent to May 5, 1942, or pursuant to a contract supported by a preference rating or allotment insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries*. The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(5) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control

² The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply".

and may be deprived of priorities assistance.

(6) *Installation*. The restrictions of this order shall not apply to the installation of an item or part for the ultimate consumer on his premises or to any putting into process, processing or assembling of the item or part incidental to the installation when done on the premises of the ultimate consumer.

(7) *Repair*. The restrictions of this order (other than those contained in paragraph (d)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. This paragraph (g) (7) does not limit the manufacture of repair and maintenance parts when List A permits the making of such parts.

(8) *Restrictions on manufacturing in certain labor areas*. When List A indicates that the manufacture of a particular item is subject to this paragraph (g) (8), no person shall put into process, process, or assemble any iron or steel (including stainless steel) to make any such item or any part thereof, unless such processing or assembling is to take place in a manufacturing establishment located in groups 3 or 4 of the labor market areas as may be from time to time designated by the War Manpower Commission.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: "Book trucks * * * *", "Cutlery * * * *", "Dish trucks * * * *", "Food carts * * * *", "Laundry trucks and laundry truck tubs * * * *", "Linens trucks * * * *", "Pen holders * * * *", "Shelf trucks * * * *", "Stencils", "Stokers until Sept. 1, 1943 * * * *", "Roofing and Siding" and "Stoves and ranges, disc stoves and hot plates * * * * deleted, "Tags and badges * * * *" amended March 31, 1944. Other amended items are underscored.

"A" Frames and booms for lighters of 15 ton capacity and under.

Access panels—except as required by Underwriters Codes.

Accessories, soda fountain.*

Acoustical ceilings.

Advertising novelties.

Air-conditioning systems—except as may be permitted under Limitation Orders L-38 and L-126.

Aircraft fire walls—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Aircraft seats—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Aircraft toilets—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Amusement park devices and roller coasters.*

*Maintenance and repair parts excepted.

Area walls.
 Ash sieves—except as may be permitted under limitation orders in the L-30 series.
 Asparagus tongs.
 Atomizers, perfume-boudoir.
 Attic fans.
 Automotive accessories—except those items the production of which as automotive replacement parts is permitted under Limitation Order L-158, as amended from time to time, whether produced as replacement parts or as original or optional equipment for new vehicles.
 Automotive heaters—except when produced as replacement parts under Limitation Order L-158.
 Awning frames and supports—except that no person shall process during the year 1944, in the manufacture of all awning frames and supports, more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board.
 Bag, purse and pocketbook frames—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
 Balers, paper, for household use.
 Ball park equipment including but not limited to:
 Cages.*
 Fences.
 Lighting systems—except lamp bulbs.
 Metal bases.
 Protective netting.*
 Railings.
 Rollers.
 Score boards.
 Screens.*
 Seats.*
 Tamers.
 Banks, personal, toy, miniature.
 Barber and beauty shop furniture.
 Barber and beauty shop supplies, machines and equipment.*
 Barn pushers and scrapers.
 Barrel hoops and fittings—except when made with iron or steel other than stainless steel.
 Barware and bar accessories.
 Bases on refrigerating machines below one H P—except as may be permitted under Limitation Orders L-38 and L-126.
 Baskets—(i) except for commercial cooking, industrial and laboratory uses; (ii) except as may be permitted under Limitation Orders in the L-30 series; and (iii) except for agricultural purposes as may be permitted under Limitation Order L-257. Stainless steel may not be used for any basket except for baskets for heat-treating, pickling and plating and for repair and maintenance parts.
 Baths, steam, all types.
 Bath tubs—except as may be permitted under Limitation Order L-42.
 B-B shot for air rifles.
 Beach umbrellas—except as may be permitted under Limitation Order L-62.
 Bed pans—except when made with iron or steel other than stainless steel and in accordance with Schedule 1 of Limitation Order L-214.
 Beds—(i) except hospital beds; and (ii) except other beds when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to paragraph (g) (8) of this order.
 Bed spring frames—except as may be permitted under Limitation Order L-49.
 Beer kegs—except hoops and fittings for wooden kegs.
 Beer mugs.
 Beer stands.
 Beer steins.
 Bench legs—except industrial.
 Beverage bottle cases, including but not limited to beer and all soft drinks.
 Bicycle racks.
 Binding, linoleum—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
 Binoculars—except for U. S. Government Agencies.
 Bins and screens—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
 Bird cages and bird cage stands.
 Bird houses and feeders.
 Biscuit boxes—except as may be permitted under Limitation Orders in the L-30 series.
 Blackboards.
 Blade stoppers, mechanical.
 Bleachers and grandstands.*
 Blocks, hat.
 Blue print machines—(i) except parts coming in contact with chemicals; and (ii) except for other parts when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
 Boards, sounding.
 Boat hooks.
 Bobbin heads—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-98.
 Boiler casings—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-42, L-185, L-187 and L-199.
 Book ends.
 Boot jacks.
 Bottle coolers—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-38.
 Bottle holders—except hospital.
 Bowling alleys, bowling pins and accessories.*
 Boxes and trays for jewelry, cutlery, combs and toilet sets.
 Boxes, meter, for household use—(i) except covers; and (ii) except reinforcing for concrete.
 Braces, extensible steel, trench.
 Branding, marking, and labeling devices—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-83 and L-292.
 Bread and cake boxes, household—except as may be permitted under Limitation Orders in the L-30 series.
 Bread slicers for home use—(i) except knives; and (ii) except as may be permitted under Limitation Orders in the L-30 series.
 Brewing, distilling, and processing equipment for alcoholic and nonalcoholic beverages, including bottling equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-292.
 Bridge splash guards.
 Brush-backs—(i) except industrial; and (ii) except brush-backs other than industrial when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
 Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except to fill other orders when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series and L-257.
 Buckles for clothing—except as may be permitted under Limitation Order L-68.
 Buckles for pocketbooks and shoes—except as may be permitted under Limitation Order L-68.
 Builders' hardware—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-236.
 Builders' supplies—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
 Building ornaments.
 Buildings, portable.
 Burial lowering devices.
 Butter chips.
 Butter knives.
 Buttons for clothing—except as may be permitted under Limitation Order L-68.
 Cabinets—except as may be permitted under Limitation Orders L-13-a, L-62 and Schedule 3 to L-214.
 Cafeteria and restaurant equipment—except when made with iron or steel other than stainless steel provided that stainless steel may be used for operating parts for repair and maintenance purposes.
 Cake cutters.
 Cake icing equipment.
 Cake tongs.
 Calendar and memo pad stands—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
 Calliopes or steam organs.
 Candy display dishes.
 Canes.
 Canopies, hoods and supports—except brooder canopies.
 Cans, containers and closures—except (i) shipping packages; and (ii) cans, containers and closures as may be permitted under Orders M-81, L-103-b, L-197 and M-261.
 Car washing machines—except as may be permitted under Limitation Order L-270.
 Carillons.
 Carpet rods.
 Carriers, casket.*
 Carousels (Merry-go-rounds).*
 Carving set holders.
 Cash boxes.
 Cash registers.*
 Casket hardware—except as may be permitted under Limitation Order L-64.
 Casket trucks, undertaker's—except wheels.
 Ceiling.
 Chafing dishes.
 Chains and cables—(i) except for heat-treating, pickling and plating; and (ii) except for all other uses when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
 Chamber pots—except as may be permitted under Limitation Orders in the L-30 series.
 Cheese dishes.
 Cheese vats—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-292.
 Chicken crates.
 Chicken house scrapers.
 Christmas tree holders.
 Christmas tree ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
 Cigar and cigarette holders and cases.
 Cigar clippers.
 Cigarette lighters—(i) except for spark wheels and springs; and (ii) except for all parts other than spark wheels and springs when made from iron or steel (including stainless steel) acquired from idle or excessive inventories reported to Steel Recovery Corporation.

poration or to the War Production Board, and then only subject to the provisions of paragraph (g) (8) of this order.

Cigarette package holders.

Cigarette making machines, hand.

Circus and carnival apparatus, equipment* and devices, including but not limited to:

Animal cages.*

Animal stands.

Tent stands.

Trailers.*

Trapeze bars.

Clamps, hair, including barrettes, decorative clips and fasteners (but not including common bob and hair pins and clamps for hair curling or waving)—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Clips for attaching baggage tags.

Clock cases—except on recording and controlling industrial instruments and heating system control equipment, and then only if made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Clocks, parts other than cases—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Clothes hampers.

Clothes lines.

Clothes line pulleys.

Clothes line reels.

Clothes racks and clothes dryers.

Clothes trees.

Clothing trim and dress ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Coal chutes and doors, household.

Coal pans.

Coasters and trivets for glass and hot containers.

Cocktail glasses.

Cocktail sets.

Cocktail shakers.

Coffee pots—except when made from iron and steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Combs, hair—except curry combs.

Compacts.

Control levers—except when made from iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Convector, local and unit heaters—(i) except for heat controls; and (ii) except for parts other than heat controls when made with iron or steel other than stainless steel and in accordance with Limitation Order L-107.

Conveyors and conveyor chutes—(i) except where subject to high temperature or corrosive action and made in accordance with Supplementary Order M-21-g; and (ii) except when made of iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Cooking stoves, commercial, electric—except as may be permitted under Limitation Order L-65.

Copy holders.

Corn poppers and machines.

Cosmetics and toiletries—except as may be permitted under Supplementary Order L-103-b.

Counter tops and edgings.

Covers for automotive leaf-type springs.

Covers and frames, manhole—(1) except for reinforcing for concrete covers.

*Maintenance and repair parts excepted.

Covers, meter frame—except for industrial use.

Crochet hooks.

Croquet sets.

Crumb trays—except as may be permitted under Limitation Orders in the L-30 series.

Crutches.

Culverts, including conduits, corrugated pipe and corrugated plates and arches for culverts—(i) except from top cuts and discarded steel; (ii) except reinforcing bars for poured concrete; (iii) except other reinforcing made with iron or steel in the form of re-rolled rail stock, top cuts and discarded steels; (iv) except nestable culverts for use outside of the continental limits of the United States; and (v) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Cups, drinking, of all kinds—(i) except for livestock; and (ii) except as may be permitted under Limitation Orders in the L-30 series.

Cups, other than drinking—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.

Curb guards.

Curler, hair, non-electric—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Curtain stretchers.

Dampers, fireplace—except as may be specified by the War Housing Critical List.

Darners, sock.

Decorative iron products.

Deodorizing dispensers.

Desk equipment, including but not limited to:

Desk sets.

Desk pads.

Fountain pen and pencil stands.

Letter openers.

Name plates.

Paper weights.

Diaper cans, containers, and receptacles.

Dictaphone racks.

Dinner bells.

Dishes, saucers and plates—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Dishwashing machines—except commercial dishwashing machines as may be permitted under Limitation Order L-248.

Dishwashing racks, household.

Dispensers, hand, for:

Hand lotions.

Paper products.

Soap.

Straws.

Display forms.

Document stands.

Door chimes.

Door closers—except as may be permitted under Limitation Order L-236.

Door handles—except as may be permitted under Limitation Order L-236.

Door knockers.

Door mats.

Door stops—except as may be permitted under Limitation Order L-236.

Drain boards—except as may be permitted under Limitation Order L-42.

Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260.

Dress forms.

Dummy police.

Dust collecting systems and equipment*—except on preference rating of AA-5 or higher.

Dust covers and enclosures*—except industrial.

Dyeing equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-215; and (ii) except for repair and maintenance parts as may be permitted under Limitation Order L-215.

Easels, all types.

Edgings, furniture and linoleum—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Ediphone racks.

Egg slicers.

Electric drinking water coolers—except as may be permitted under Limitation Orders L-38 and L-126.

Elevators, including doors and trim—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-89 and L-257.

Embalming tables.*

Enamelled tile sheets and squares.

Enamel store fronts.

Erasing knives.

Erasing shields.

Escalators.*

Exercise and reducing machines.*

Exhibition and fair apparatus and equipment,* including but not limited to:

Lighting equipment.

Racks.

Stands.

Fan stands, all types.

Fans, (i) except industrial; or (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-176.

Farm machinery and replacement parts therefor—(i) except high pressure sprayer valves, valve sets and nozzles; and (ii) except other parts when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.

Feed troughs, except as may be permitted under Limitation Order L-257.

Fences of all kinds, except:

(1) Plain, barbed, or twisted wire; woven or welded wire fence (except lawn and other ornamental fence); wire netting; wire fencing.

(2) Chain link fence, weighing not more than two pounds per lineal foot and not more than 0.33 pounds per square foot, for industrial plant protection only.

Fence posts—except for agricultural purposes and for snow fences, but in either case only if made from steel in the form of rerolled rail stock.

Ferneries, metal.

Finger bowls.

Fireplace equipment, including but not limited to: andirons, fireplace screens, fireplace accessories and ash dumps but not including dampers and grates. See also the items "Dampers x x" and "Fireplace grates x x" on List A hereof.

Fireplace grates—except grates weighing not more than 40 lbs. each. No person shall process during the year 1944 in the manufacture of all fireplace grates weighing 40 lbs. each or less, more than 50% of the amount of iron and steel used by him in making all fireplace grates during the year 1941.

First aid kit boxes.

Fish aquariums.

Fishing tackle and equipment other than commercial—except as may be permitted under Limitation Order L-92.

Flag holders.

Flag poles.

Flashlights—except as may be permitted under Limitation Order L-71.

Flasks, quicksilver.

Floats for pageants, parades, advertising, etc.—except trucks.

Floor and ceiling plates for piping—except for industrial use.

Floor and counter covering trim—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Floor plates and floor coverings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Floor scrapers—except power driven.

Floral tools and floral hoes.

Florist supplies—except that iron or steel wire may be used which was drawn prior to June 19, 1942 or was sold to the manufacturer of florist supplies as scrap.

Flour, salt and pepper shakers—except as may be permitted under Limitation Orders in the L-30 series.

Flower boxes, pot holders and vases.

Flower shears.

Fly traps.

Food vending machines, including automat.

Foot baths—except as may be permitted under Limitation Order L-42.

Foot scrapers.

Forms for concrete construction.

Fountain pens—except as may be permitted under Limitation Order L-227.

Fountains—(i) except fountains (other than ornamental fountains) when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-38 and L-42; and (ii) except for replacement parts for soda fountains of the following types: covers, breaker strips, milk cans and ice pans which may be made with any iron or steel including stainless steel.

Fountains, ornamental.

Frames, catch basin and grater, all types—(i) except when made from low-grade cast iron; and (ii) except for reinforcing for concrete covers.

Frames, clothes drying.

Frames for artists' canvas, darning and needle work.

Frames, steel blocking.

Fruit juice extractors, household—except as may be permitted under Limitation Orders in the L-30 series and L-65.

Furniture*—except as may be permitted under Limitation Orders L-13-a, L-62, L-135, Schedule 3 of L-214, L-226, L-249, L-254, and L-260, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.

Furniture, hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Order L-260.

Galley and mess equipment—except when made with iron or steel other than stainless steel, provided that stainless steel may be used for operating parts for repair and maintenance purposes.

Galley, kitchen, cafeteria and restaurant paneling—except when made with iron or steel other than stainless steel.

Game and gambling devices.

Garage hoists, car lifts and racks—except as may be permitted under Limitation Order L-270.

Garbage grinders, household.*

Garden trowels.

Gas toasters, household.

Gates for fences*—except for agricultural use as may be permitted under Limitation Order L-257.

Glassware holders and trim—except on cooking utensils.

Golf bag supports.

Grass shears.

Grass whips.

Grave markers.

Grilles, ornamental.

Grilles, sewers—except when made from low-grade cast-iron.

Grills, outdoor.

Guards for guy wires.

Gutters, spouting, conductor pipe and fittings for dwellings two stories or less in height*—except when the installation has been approved by the War Production Board.

H-Bar units.

Hair dryers, hand. See also the item "Barber and beauty shop, supplies, machines and equipment" on this List A for other hair dryers.

Hand seals for documents.

Hand weeder.

Handles, broom and mop.

Hangers, all types—(i) except X-ray film hangers; and (ii) except for other types of hangers when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders. See the next item below for a type of hanger which may not be made with any iron or steel.

Hangers and track for garage doors for private use.

Hangers rings on brushes, brooms, etc.

Harness and saddlery fittings—except for draft, work and ranch animals.

Hat frames—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Hat-making machinery.*

Heat resisting pads for household use.

Hedge shears.

Helmets—except as may be permitted under Limitation Order L-105.

Highway crossing protection devices, electrical or mechanical.*

Highway guard rail, wire, strip and posts.*

Highway guard rail reflectors.

Hitching posts.

Holders, wire, all types—except as may be permitted under Limitation Orders in the L-30 series.

Hoops, galvanized wire for flower garden trim.

Hose clamps—except when made with iron or steel other than stainless steel.

Hose reels—(i) except fire fighting equipment; (ii) except for industrial use in direct fire hazard areas; and (iii) except as may be permitted under Limitation Order L-314.

Hospital, medical, dental and related equipment—only items listed elsewhere on this List A are restricted by any provisions of this order other than paragraph (d).

Hot water heaters, tanks and coils—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-65, L-185 and L-199.

House numerals.

Houses, poultry—except wire netting and except reinforcing for concrete, and except as permitted in the P-19 series of Orders.

Houses, tool and hog—except reinforcing for concrete, and except as permitted in the P-19 series of Orders.

Humidification devices—except as may be permitted under Limitation Orders L-38 and L-126.

Humidors.

Ice box exteriors—except as may be permitted under Limitation Orders L-7-c, L-38 and L-126.

Ice box parts other than exteriors—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-7-c, L-38 and L-126.

Ice cream cabinets (see Item "Cabinets x x" on this List A).

Ice cream freezers, household.

Ice cream molds.

Ice cube trays.

Identification tags and badges (see "Tags and badges x x x" on this List A).

Incenitators—except for industrial or commercial use and except for housing as may be permitted by the War Housing Critical List.

Ink well holders.

Inlets, gutter, all types—except reinforcing for concrete.

Inlets, sewer, all types—except reinforcing for concrete.

Instrument dials and cases—except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.

Insulation, metal reflecting type.

Ironing boards and stands.

Jam boxes—except as may be permitted under Limitation Orders in the L-30 series.

Jelly molds—except as may be permitted under Limitation Orders in the L-30 series.

Jewelry.

Jewelry cases.

Jugs, picnic, all types.

Kaleidoscopes.

Key chains, cases and rings.

Kitchenware—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Knitting needles.

Ladders and hoists, including fittings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Ladders, step.

Lanterns and lamps—(i) except valves, controls and mantle-holders and except for miners' lamps; and (ii) except for parts of lamps other than valves, controls and mantle-holders and for all parts of lamps other than miners' lamps, when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Lanterns, magic.

Lard or vegetable oil tubs—except of a capacity of 5 pounds and over.

Laundry chutes.

Laundry trays—except as may be permitted under Limitation Order L-42.

Lavatories—(i) except for railway cars; (ii) except for hangers; and (iii) except as may be permitted under Limitation Order L-42.

Lavatory equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.

Lawn brooms.

Lawn edgers.

Lawn rakes.

Lawn rollers.*

Lawn tampers.

Lawn seeders.*

Lawn sprinklers.

Letter chutes.

Letter openers.

Letter trays.

Lighting equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-78, L-168, L-212, L-235 and L-259; and (ii) except for use in flood-lights, searchlights and other outdoor lighting equipment used in connection with aerial and marine navigation.

Lighting poles and standards.*

Linen hampers—except for frames.

Lipstick holders—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Livestock and poultry equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.

*Maintenance and repair parts excepted.

Lockers—(i) except for oil refinery use; and (ii) except as permitted under Limitation Order L-13-a.

Locks—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-236.

Logs, artificial for gas—except as may be permitted under Limitation Order L-23-c.

Logs, artificial for electric fireplaces.

Luggage—except as may be permitted under Limitation Order L-284.

Lunch boxes—except as may be permitted under Limitation Orders in the L-30 series.

Mail boxes—except as required by U. S. postal regulations.

Mailing tubes or cases—except for transportation of bacteria, cultures, serums, plasma and biological specimens.

(Marine hardware for pleasure boats).*

Marques.

Match boxes.

Match and pattern plates, matrices and flasks—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.

Material for housing not otherwise specified in this order—(i) except as may be specified by the War Housing Critical List; (ii) except metal windows as may be permitted under Limitation Order L-77; and (iii) except metal doors and metal door frames as may be permitted under Limitation Order L-142.

Measuring pumps and dispensers—for gasoline station, garage and household uses, including but not limited to:

Air pumps—except as may be permitted under Limitation Order L-270

Grease guns—except as may be permitted under Limitation Order L-314

Grease pumps—except as may be permitted under Limitation Order L-314

Gasoline dispensing pumps

Kerosene pumps

Oil pumps—(i) except barrel pumps and lubesters; and (ii) except as may be permitted under Limitation Order L-314

Meat molds.

Mechanical book binding—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Mechanical drawing and drafting equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Memorial tablets.

Menu holders.

Metal cloths—except insect screening and hardware cloth and for industrial processing.

Metal dust covers and enclosures—except for industrial use.

Milk bottle cases—except that a total of 4½ pounds of steel per case (including joining and essential hardware) may be used.

Millinery wire and gimp—except for hat brims.

Mirrors, hand.

Monograms and initials.

Mop wringers, household type.

Mortician's supplies and equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Motion picture cameras,* except that for motion picture cameras of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.

Motion picture projectors and projection equipment—(i) except for motion picture projectors and projection equipment of the types the production and distribution of which is regulated by Limitation Order L-325; and (ii) except that for motion picture projectors and projection equipment of the types regulated by Limitation Order L-267, iron or steel may be used to the extent permitted under that order.

Motion picture screen stands.

Motion picture sound reproducing equipment—except for motion picture sound reproducing equipment of the types the production and distribution of which is regulated by Limitation Order L-325.

Mud scrapers.

Music stands.

Name, data and instruction plates for machinery and equipment—except when made from iron or steel other than stainless steel or when made from any steel obtained from idle or excessive inventory listed with Steel Recovery Corporation and, in each case, in accordance with any applicable orders of the War Production Board.

Napkin rings.

Necktie racks—except as may be permitted under Limitation Orders in the L-30 series.

Newspaper boxes or holders.

Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruits, and flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942, or was sold to the manufacturer of the artificial leaves, fruits, flowers, or feather ornaments as scrap.

Ornamental hardware and moldings.

Outdoor fireplace parts.

Outing spades.

Packing twine holders.

Pall clasps.

Paint spray outfits—except for industrial use.

Paper rollers, household—except as may be permitted under Limitation Order L-120.

Parachute ripcord housing after September 30, 1943—(i) except when made from iron or steel (including stainless steel) acquired through Steel Recovery Corporation; and (ii) except when the manufacturer has not been able to acquire iron or steel (including stainless steel) of the type required through Steel Recovery Corporation.

Parasols, shafts and handles.

Park and recreational benches.

Parking meters.

Partitions.

Partition studs.

Pegs, tent.

Pencil holders.

Permanent wave machines.*

Pet beds.

Pet cages.

Pet dishes.

Pet equipment (except license tags) including but not limited to:

Carriers.

Chains.

Collars.

Feeders.

Houses.

Leashes.

Muzzles.

Phonograph motors, hand wound.

Phonograph record blanks.

Photographic accessories—(i) except accessories used in connection with X-ray; and (ii) except that for photographic accessories of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.

Photographic equipment*—(i) except printing and publishing equipment as may be permitted under Limitation Order L-226; (ii) except X-ray film, developing equipment; (iii) except that for photographic equipment of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order; and (iv) except document copying machines and equipment therefor (other than blue print machines) for business purposes and for use by government agencies. See also the item "Blue print machines" * * * on this List A.

Physical reducing machines.

Picnic and outing boxes and accessories.

Picture and mirror hardware.

Pie plates—except as may be permitted under Limitation Orders in the L-30 series.

Pipe cases.

Pipe cleaner knives.

Pipe posts.

Pitchers—except for hospital use.

Plant and flower supports.

Plates, light switch—except for cast conduit bodies.

Playground equipment—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before October 3, 1942, and then only subject to the provisions of paragraph (g) (8) of this order and only for sale to public recreation areas and Defense Housing projects.

Play pens, boxes and enclosures, children's.

Pleasure boats.

Pleasure boat equipment and accessories.

Plumbing and heating equipment.

Gas conversion burners.*

Gas fired boiler-burner units—except as may be permitted under Limitation Order L-187.

Gas fired furnace-burner units—except as may be permitted under Limitation Order L-22.

Grilles.*

Oil fired boiler-burner units—except as may be permitted under Limitation Order L-187.

Oil fired furnace-burner units—except as may be permitted under Limitation Order L-22.

Registers*—(i) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order; and (ii) except registers for use in warm air circulating systems but only if made from Bessemer processed steel or from a "top cut" and then only subject to the provisions of paragraph (g) (8) of this order.

Steel heating boilers of 129 sq. ft. or less of heating surface.*

Pneumatic tube delivery systems*—except industrial.

Pocketbook ornaments.

Pole-line hardware—except when made with iron or steel other than stainless steel.

Polishing-wax applicators—except industrial as may be permitted under Limitation Order L-222.

Polishing-wax sprayers.

Portable bath tubs.

Poultry incubator cabinets—except as may be permitted under Limitation Order L-257.

Pulp, paper, paper products and converter machinery and equipment*—(i) except graphic arts machinery or equipment as may be permitted under Limitation Order L-226, and (ii) except machinery or equipment for the fabrication of containers.

Pumps, fresh water—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

*Maintenance and repair parts excepted.

*The items in parenthesis have been deleted. Their manufacture is prohibited or regulated by Limitation Order L-236 in the case of "Marine hardware for pleasure boats" and by Limitation Order L-190 in the case of "Scales, coin operated."

Push carts.

Push plates and kick plates, door.

Race track apparatus and equipment,* including but not limited to:

- Mutuel ticket machines.
- Parimutuel boards.
- Race finish photographic equipment.
- Starting gates.
- Racks, display.
- Racquets.
- Radiator enclosures.
- Radio antenna—except when made with iron or steel other than stainless steel.
- Radio antenna poles*—except on preference ratings of AA-5 or higher.
- Railings and barriers—(i) except for essential industrial use; and (ii) for metal fire escapes and fire towers.
- Railroad rail joint angle bars over 24" in length—(i) except for replacement on used rails; and (ii) except for rail weighing more than 110 lbs. per yard.
- Reading stands.
- Reels, cable and rope.
- Refrigerator boxes, walk-in—except as may be permitted under Limitation Orders L-38 and L-126.
- Refrigerator containers and trays, household.
- Refrigerator and refrigeration equipment—(i) except essential machinery parts; and (ii) except for parts other than essential machinery parts when made with iron or steel other than stainless steel. This item is subject to the provisions of the two previous items on this List.
- Regalia.
- Registers, hand tally.
- Rodeo equipment, including but not limited to:

 - Animal trappings.
 - Fences.
 - Gates.*

- Rolling boardwalk chairs.*
- Rolling pins—except as may be permitted under Limitation Orders in the L-30 series.
- Rotary door bells.
- Rubber moulds—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
- Rug scrubbing and shampooing machines.*
- Safety zone posts, rails, cables and platforms.
- Salesmen's display cases and sales kits.
- Salt and pepper holders—except as may be permitted under Limitation Orders in the L-30 series.
- Sample boxes.
- Sand boats.
- Scaffolding—except for use in shipyards and industrial plants.
- (Scales, coin operated.)*
- Scenery and stage hardware equipment* (except lamp bulbs) for dramatic, theatrical and operatic use, including but not limited to:

 - Battens.
 - Cables.
 - Lighting equipment.
 - Stage drops.

- Score boards.
- Screen frames—(i) except for industrial processing; and (ii) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
- Scrubbing boards.
- Semaphores, traffic signal—except railroad.
- Service food trays.
- Sewer pipe, exterior installations*—(i) except for vents and within 5 feet of buildings; (ii) except for cast iron pressure mains; and (iii) except for reinforcing for concrete made from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel.

Shades, window and roller type—(i) except for railroad passenger cars, street cars, and busses; and (ii) except for roller mechanism on shades for all uses.

Sheet iron or hoop iron packings for cookies and sweet goods.

Shelves for domestic ice refrigerators, as defined by Limitation Order L-7-c.

Shelves, other than shelves for domestic ice refrigerators—except as may be made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Shirt and stocking dryers.

Shoe cleaning kits.

Shoe ornaments.

Show window lighting and display equipment.

Shower receptors and stalls—except as may be permitted under Limitation Order L-42.

Shutters, window*—except as may be permitted under Limitation Order L-142.

Sidewalk scrapers.

Sign hanger frames.

Sign posts.

Signdets.

Silos—except as may be permitted under Limitation Order L-257.

Sinks, sink aprons and sink legs—(i) except scullery sinks; and (ii) except as may be permitted under Limitation Order L-42.

Sink drainboards, both integral and removable—except as may be permitted under Limitation Order L-42.

Siphon chargers—except as may be permitted under Limitation Order M-233.

Sitz baths—except as may be permitted under Limitation Order L-42.

Skates, roller and ice.

Skating rink apparatus and equipment.*

Skewers, all types.

Ski racks.

Sleds and sleighs—except runners.

Slide fasteners—except as may be permitted under Limitation Order L-68.

Slides, loops and slide-loops for work clothing—except as may be permitted under Limitation Order L-68.

Smokers' accessories—except pipe cleaners.

Snow shovels and pushers, hand—except as may be permitted under Limitation Order L-157.

Sod lifters.

Spading forks—children's.

Special industrial machinery of the following types:

- Ceramic making machinery*—except machinery for making refractories, porcelain for industrial use, vitrified abrasives and stoneware for chemical processing.
- Collapsible tube filling machines.*
- Cosmetic machinery.
- Coupon inserting machines.
- Cut and monumental stone machinery.
- Milk can machinery.*
- Steel drum machinery—except for export purposes.
- Tobacco machinery.*

Spittoons—except as may be permitted under Limitation Orders in the L-30 series.

Spools, for cord, ribbon or tape—except for adhesive tape and inked ribbon.

Spools for wire—except traverse and spools used in industrial processing. This item does not include spools for solder.

Sporting and athletic goods—(i) except cleats and spikes for athletic shoes; (ii) fishing tackle as permitted under Limitation Order L-92; and (iii) gymnasium equipment for programs approved by the United States Office of Education. Fully fabricated skates may be attached to athletic shoes without restrictions since the order does not regulate such assembly (see paragraph (a) (5)).

Spray containers, household.

Sprinkling cans, garden.

Stadiums.*

Stair and threshold treads,* household, institutional and commercial buildings—except for fire escape, fire towers and essential industrial use.

Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.

Stands, all types—(i) except for essential industrial use; and (ii) except as may be permitted under Limitation Order L-54-c and L-199, and Schedule 3 of Limitation Order L-214.

Staple removers—except as may be permitted under Limitation Order L-73.

Staples—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Starter shingle strips.

Statues.

Steel wool for household use made from material other than waste.

Stokers, after August 31, 1943—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-75.

Storage racks, racks, cabinets or lockers—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

Store display equipment and show cases.

Store fronts.

Stretchers, carpet.

Stretchers, glove, sock and sweater.

Structural steel home construction.

Subway turnstiles.*

Sugar cube dryer trays.

Sugar holders—except as may be permitted under Limitation Orders in the L-30 series.

Sun dials.

Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L-259.

Swimming pool equipment*, including but not limited to:

- Diving boards.
- Diving stands.
- Ladders.
- Slides.

Swivel chairs—except casters.

Table name-card holders.

Table tops for household use—except as may be permitted under Limitation Order L-62.

Tablets.

Tags and badges, key; name; price; identification—(i) except personnel identification tags or badges where metal tags or badges are required for the protection of government agencies provided they are made with iron or steel other than stainless steel; (ii) except personnel identification tags or badges containing not more than $\frac{3}{4}$ ounce of iron and steel where metal tags or badges are required for protection of industrial plants provided they are made with iron or steel other than stainless steel; (iii) except metal tags required for identification of livestock and poultry and products made therefrom provided they are made with iron or steel other than stainless steel; (iv) except pin attached or wire attached tickets for price marking of soft goods; (v) except metal tags for marking and identification of metals in its production, shipment and application provided they are made with iron or steel other than stainless steel; (vi) except license tags for pets; (vii) except name, date, identification and instruction plates for machinery and equipment provided they are made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board; and (viii) except for laundry and dry cleaning identification.

*Maintenance and repair parts excepted.

Tanks (strapping excluded) for agricultural use—except as may be permitted under Limitation Order L-257.

Tanks, storage (strapping excluded) for beer. Tanks (strapping excluded) for water—(i) except for use in tropical climates; (ii) except of a height in excess of 100 feet; (iii) except for range boilers and hot water storage; and (iv) except pneumatic pressure tanks.

Tank towers (i) except over 20 feet in height supporting more than 100 tons; and (ii) except over 50 feet in height.

Teapots—except as may be permitted under Limitation Orders in the L-30 series.

Telephone bell boxes—except bases and where required for safety.

Telephone booths. Telescopes—except for U. S. Government Agencies.

Tent frames and supports. Termite shields—except as may be specified by the War Housing Critical List.

Terrazzo spacers and decorative strips—except hospital operating rooms.

Textile machinery—except as may be permitted under Limitation Order L-215.

Thermometer bases, household.

Thermometer cases and mountings—except for industrial use and use on heating boilers.

Thermos or insulated jugs and bottles over one quart size.

Thimbles, sewing.

Tickers, stock. Ticket vending machines*—except for public transportation.

Tile, steel-back.

Toilet floats, cistern and low water-floats—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.

Tongs, for food handling or for household use.

Tool boxes and cases—except for industrial use.

Tool handles—except for power driven tools.

Traffic lane markers.

Trailer bodies—except as may be permitted under Limitation Order L-253.

Transplanting trowels—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Trophies.

Truck bodies—except as may be permitted under Limitation Order L-253.

Trunks*—except as may be permitted under Limitation Order L-284.

Tub covers.

Tubs, washing—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.

Turf edgers.

Typewriter mechanism for pedestal and drop-head desks.

Umbrellas, garden—except as may be permitted under Limitation Order L-62.

Umbrella shafts and handles.

Urinals—except as may be permitted under Limitation Order L-42.

Valve handles—except when made with iron or steel other than stainless steel.

Vanity cases—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

Vending machines for sanitary napkins—except as may be permitted under Limitation Order L-27-a.

*Maintenance and repair parts excepted.

Ventilators other than louver ventilators of the residential type, for use in walls—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-142 and other applicable orders of the War Production Board. Ventilators, louver, for use in walls, residential type—except when made from shop shearings or trimmings.

Vibrators, electric—except for industrial use.

Voting machines.

Wagon bodies and frames—(i) except for construction use; and (ii) except for agricultural use as may be permitted under Limitation Order L-257.

Wardrobe trunks—except as may be permitted under Limitation Order L-284.

Waste paper receptacles.

Watch straps.

Water color paint boxes.

Water stills, household.

Water troughs—except as may be permitted under Limitation Order L-257.

Weather stripping.

Weather vanes.

Weed cutters and pullers, including dandelion, thistle and dock cutters and pullers—except when made from steel in the form of re-rolled rail stock or from idle or excessive inventory listed with Steel Recovery Corporation.

Wheelbarrows (parts other than wheels)—except for use in dairies; coal yards and mines; for handling hot materials; forgings and castings.

Wheel chairs—except frames and wheels.

Whiskey service sets.

Window display advertising.

Window shade rollers. See item "Shades XXX" on List A hereof.

Window stools.

Window ventilators—except for industrial and hospital use.

Wine coolers.

Wine service sets.

Wire parcel handles and holders.

Wire racks—(i) except for animal cages for biological work; (ii) except for industrial use; (iii) except for scientific laboratory equipment; (iv) except for agricultural use as may be permitted under Limitation Order L-257; and (v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Order L-30-d.

Work benches—(i) except for shipboard use; and (ii) except for industrial use where required for safety.

LIST C

Access panels—for use on board ship, on military vehicles and artillery items and where climatic or safety conditions make necessary.

Access panels of stainless steel for radio equipment.

Accessories, soda fountain—for use on board ship.

Acoustical ceilings—for use on board ship.

Aircraft fire walls—stainless steel permitted where required for non-magnetic properties, or when required as a structural load carrying member of aircraft.

Attic fans*—where climatic conditions make necessary.

Automotive accessories.

Automotive heaters—where specified for military vehicles.

Awnings frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.

Barber chairs—when manufactured in accordance with Navy Department specification 26C6 for use on board ship.

Barber shop supplies.

Baskets*—for cooking and manufacturing uses and for ordnance operations.

Baths, steam—for use on board ship.

B-B shot—for training and shot blast cleaning purposes.

Beds—hospital.

Beds, other than hospital—only from iron or steel in the form of rerolled rail stock or Bessemer processed steel.

Bench legs.

Binoculars.

Bird cages—for carrier pigeons.

Bird feeders—for carrier pigeons.

Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.

Boat hooks.

Bobbin heads of non-nickel bearing stainless steel—for use on board ship.

Boiler casings of stainless steel*—for use on board destroyers and where required for corrosion or heat resistance on board ship.

Bottle holders—for use on board ship and in hospitals.

Boxes, meter, and covers.

Brush-backs for bore brushes.

Buckets and pails.**

Buildings, portable.

Cabinets* for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, and as may be permitted under Limitation Orders L-13-a, L-62 and Schedule 3 of L-214.

Cabinets of stainless steel for radar equipment.

Cable terminals, fittings and turnbuckles of stainless steel—for aircraft and use on board ship.

Canopies, hoods, and supports.

Cash boxes.

Ceilings—for use on board ship.

Chains and cables.**

Cigarette lighters—when ordered by the Army Exchange Service, the Quartermaster Corps, the Bureau of Naval Personnel and the Marine Corps, for use by the Army, Navy, Marine Corps, Coast Guard, U. S. Maritime Commission, and War Shipping Administration.

Clock bases.

Clothes hampers—for use on board ship.

Clothing trim.

Control levers of stainless steel for aircraft. Conveyor and conveyor chutes for artillery equipment—stainless steel permitted where required.

Counter tops and edgings—for use on board ship.

Covers and frames, manhole.

Covers, meter frame.

Culverts—for airports, for use outside continental limits of the U. S., and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.

Cups of all kinds, drinking.

Door stops.

Dust collecting systems and equipment.

Dust covers and enclosures—when specified for military vehicles and artillery items.

Erasing knives.

Fans of stainless steel—for use on board ship and where required for corrosion resistance.

Fences, including chain link, weighing not more than 2 pounds per lineal foot and not more than 0.33 pound per square foot.

Fence posts from iron or steel in the form of re-rolled rail stock.

First aid kit boxes.

Flag holders.

Flag staffs and flag masts—for use on board ship, and on military vehicles.

Flashlights and portable electric lights on fire control instruments.

Floor and ceiling plates for piping—for use on board ship, for military vehicles and artillery items, and where climatic or safety conditions make necessary.

*Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

Fountains, portable, of stainless steel—for use on board ship.
 Furniture—for use on board ship.
 Galley and mess equipment of stainless steel, as follows:
 Canteens.
 Coffee urns of non-nickel bearing stainless steel.
 Cold storage space on board ship—but only clad stainless steel for doors and other parts coming in direct contact with food.
 Compartment mess trays—but only from existing finished stocks of stainless steel.
 Dishwashing machines—but only tanks, hoods and pump shafts of non-nickel bearing stainless steel.
 Kettles, steam jacketed—but only single clad stainless steel for inside lining and cover; solid stainless steel for interior baffles, strainer and drain-off fittings, and for covers when two-piece covers are specified.
 Meat cans and covers.
 Metal sponges of non-nickel bearing stainless steel wire.
 Portable water coolers, liners only—non-nickel bearing stainless steel.
 Pressure cookers—but only clad stainless steel for bottoms and solid stainless steel for sides.
 Sinks and dresser tops for use on board ship and aircraft—but only clad stainless steel.
 Steam tables, warming pans and inserts—but only clad stainless steel.
 Stock pots—but only clad stainless steel.
 Games.
 Gates for fences.
 Grilles—sewer.
 Grilles—for use on board ship.
 Hand seals for documents.
 Harness and saddlery fittings.
 Hat frames, wire and gimp.
 Hat-making machinery, but only—Blocking machines with complete sets of blocks.
 Sets or dies for cutting parts.
 Hose clamps of stainless steel—for aircraft.
 Hose reels.
 Hot water heater tanks and coils of stainless steel—for aircraft and military vehicles.
 Ice cube trays.
 Incinerators.
 Instrument dials and cases of stainless steel.
 Ironing boards and stands—for use on board hospital ships.
 Ladders, step.
 Lighting equipment for theatres and recreational buildings for the armed forces.
 Lighting poles and standards for fire control instruments.
 Lockers—for office equipment as limited under Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.
 Mail boxes—for use on board ship.
 Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—
 Air pumps.
 Gasoline dispensing pumps.
 Grease guns.
 Grease pumps.
 Kerosene pumps.
 Oil pumps.
 Mechanical drawing and drafting equipment of stainless steel.
 Metal cloths.
 Mirrors, hand—for signal use.
 Motion picture cameras, projectors and projection equipment—stainless steel permitted for sprockets and aperture plates.
 Motion picture screen stands.
 Motion picture sound reproducing equipment.
 Music stands—for use on board ship.

Name, data and instruction plates for machinery, equipment and aircraft—stainless steel permitted if acquired through Steel Recovery Corporation.
 Paint spray outfits—stainless steel permitted for nozzle tips and needle valves.
 Partitions—for use in hospitals and on board ship.
 Partition studs for radar equipment.
 Pegs, tent.
 Phonograph motors, hand wound.
 Phonograph record blanks.
 Photographic equipment and accessories.**
 Pipe posts.
 Pitchers.
 Plates, light switch, for use on board ship and for artillery and mobile items.
 Pneumatic tube delivery systems.
 Portable bathtubs.
 Pumps, fresh water, for use on board ship.**
 Pump shafts of stainless steel.
 Push carts—for ordnance and combat organizations.
 Radiator enclosures for use on board ship, on military vehicles and on artillery items.
 Radio antenna of stainless steel.
 Radio antenna poles—stainless steel permitted for submarines.
 Railings—for use on board ship.
 Reels, cable and rope—for combat and field training purposes and for use on board ship.
 Scaffolding—for use in airfields and other places where use of wood scaffolding is impracticable.
 Screen frames.
 Sewer pipe for pressure lines in exterior installations—cast iron only may be used.
 Shirt and stocking dryers of cast iron only.
 Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.
 Skewers all types.
 Spools for wire—for combat and field training purposes.
 Sporting and athletic goods.
 Stair and threshold treads—for use on board ship.
 Stencils.
 Swimming pool equipment for training purposes.
 Swivel chairs—for use on board ship.
 Tags—
 For marking ammunition and military equipment.
 Identification tags and badges for personnel.**
 Tanks, storage, water—but only for use on board ship, mobile units, range boilers and water storage, of a height in excess of 100 feet, or for pneumatic pressure tanks, or for use outside continental limits of U. S.
 Tanks, water storage, of stainless steel—for use in aircraft.
 Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.
 Telephone booths, acoustically treated—for use on board ship.
 Tent frames and supports.
 Termite shields—for use outside continental limits of U. S.
 Thermos or insulated jugs and bottles.
 Tile, steel back—for ladder treads, step plates and use on board ship.
 Tool boxes and cases.
 Tool handles.
 Typewriter mechanism for pedestal and drop-head desks—for use on board ship.
 Waste paper receptacles—for hospital use.
 Water troughs—frame and support only.
 Wheel barrows.
 Wire racks.
 Workbenches.

[F. R. Doc. 44-4595; Filed, March 31, 1944;
 11:56 a. m.]

**Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

Chapter XI—Office of Price Administration
 PART 1305—ADMINISTRATION

[Supp. Order 85]

COLLECTION BY RETAILERS OF RETAIL FEDERAL EXCISE TAX ON JEWELRY, FURS AND FUR TRIMMED ARTICLES, TOILET PREPARATIONS AND CERTAIN ITEMS OF LEATHER GOODS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is hereby ordered:

§ 1305.113 *Collection by retailers of the Retail Federal Excise Tax on jewelry, furs and fur trimmed articles, toilet preparations and certain items of leather goods imposed by the Revenue Act of 1943.* Under this supplementary order retailers may increase the total charge which they are permitted to make under applicable maximum price regulations for the items covered by this order. Retailers may treat the permitted increase in the total charge as an increase in their maximum prices and state their maximum prices as prices including the tax, or retailers may make (or increase) a charge in addition to the maximum price and state the maximum price as a price exclusive of tax. However, no increase in the total charge may be made unless the retailer identifies and states the whole amount of the tax in accordance with the rules for statement of tax contained in this order. Paragraph (a) lists the commodities which are covered by this order. Paragraph (b) indicates the method by which the total permissible charge is to be computed. Paragraph (c) indicates the various methods which retailers may use to state the retail Federal excise tax. Paragraph (d) explains the extent to which uniformity is required in the choice of method.

(a) *What commodities are covered by this order.* This order does not cover all the commodities which are taxed by the Revenue Act of 1943. It only covers those items which are listed in subparagraph (1) below.

(1) *List of commodities covered by this order.* The following commodities are covered:

(1) Jewelry, including:
 Watches retailing for more than \$65.
 Alarm clocks retailing for more than \$5.
 Synthetic stones and cultured pearls and mountings containing synthetic stones and cultured pearls.

Semi-precious stones after sale by the cutter when the cutter has received \$100 or less for the stone and mountings containing the semi-precious stones.

Articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof.

Gold, goldplated, silver or sterling silver flatware or hollow ware.

Opera glasses.
 Lorgnettes.
 Marine glasses.

*Copies may be obtained from the Office of Price Administration.

Field glasses.
Binoculars.
(ii) Fur articles.
(iii) Fur trimmed articles of which the fur is the component material of chief value.
(iv) The following items:
Brief cases made of leather or imitation leather.
Beach bags.
Bathing suit bags.
Purses.
Handbags.
Pocketbooks.
Wallets.
Billfolds.
Card, pass and key cases.
Toilet cases and other cases, bags and kits (without regard to size, shape, construction or material from which made) for use in carrying toilet articles.
(v) Toilet preparations.

(2) *List of jewelry, luggage and furs not covered by this order.* This order does not apply to the following commodities which are designated as jewelry, luggage and furs respectively under the Revenue Act of 1943:

(i) Precious stones, mountings containing precious stones, semi-precious stones after sale by the cutter for which the cutter has received more than \$100 for the sale of the stone, and the mountings containing those semi-precious stones. These items are exempt from price control. They are, however, not exempt from the provisions of the Revenue Act of 1943.

(ii) Watches retailing for not more than \$65, and alarm clocks retailing for not more than \$5. The retail Federal excise tax imposed on these items has not been changed by the Revenue Act of 1943.

(iii) Silverplated flatware. These items are exempt from the provisions of the Revenue Act of 1943.

(iv) Luggage for which maximum retail prices are established by Maximum Price Regulation No. 476.¹ The method which retailers will use to collect the retail Federal excise tax on luggage is provided in an amendment to that regulation.

(v) Fur garments wholesaling for \$8,000 or more. These items are exempt from price control. They are, however, not exempt from the provisions of the Revenue Act of 1943.

(3) *What regulations are modified by this order.* This order modifies § 1499.7 of the General Maximum Price Regulation,² § 1389.156 of Maximum Price Regulation No. 178,³ § 1389.559 (a) (3) of Maximum Price Regulation No. 330,⁴ section 15 of Maximum Price Regulation No. 392,⁵ section 16 of Maximum Price Regulation No. 393,⁶ Maximum Price Regulation No. 142,⁷ and Maximum Price Regulation No. 210,⁸ for the purpose of establishing the rules governing the collection of the retail Federal excise tax imposed by the Revenue Act of 1943 on sales of the commodities listed in paragraph (a) (1) above.

(b) *How retailers compute the total permissible charge including the addi-*

tional tax. If you are a retailer, you compute the total charge inclusive of the retail Federal excise tax which you may make as follows:

(1) You deduct from your previously established maximum price the amount (if any) of the retail Federal excise tax which was included in the price.

(2) You add to your price, exclusive of tax, as computed under subparagraph (1), 20% of that price. The resulting figure is the total price inclusive of tax which you may now charge.

Example. If your ceiling price for an item of jewelry is \$11, tax included, you must first deduct $\frac{1}{11}$ (one eleventh) from \$11, and \$10 is your maximum price exclusive of tax. If your maximum price for an item of jewelry is \$10 plus tax, then \$10 is your maximum price, exclusive of the excise tax. In either case, if you now sell the item for \$10, you multiply \$10 by 20% ($\$10 \times 20\% = \2). The resulting figure (\$2) is the amount of the retail Federal excise tax on your ceiling price and the total charge which you can make is \$12.00.

(c) *What constitutes a proper statement of the tax.* If you wish to increase the total charge which you are permitted to make by an amount to cover any part of the increase in the retail Federal excise tax (or the new tax) imposed by the Revenue Act of 1943, you must properly state the whole tax. For the purposes of this order, the tax shall be deemed to be properly stated if you comply with the following requirements:

(1) *Advertising.* All advertisements which state prices, must separately state the tax for every item covered by this order in one of the following ways:

(i) You may state your price exclusive of tax, but indicate in the advertisement that the purchaser will have to pay a tax in addition to the price.

(ii) You may state the total price inclusive of the retail Federal excise tax with a notation following the price that the price includes the 20% retail Federal excise tax. A statement in the following form is sufficient: Price \$1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.

(iii) You may indicate somewhere in the layout that the prices for sales of designated items covered by this order include 20% tax.

(2) *Catalogues.* In all catalogues which include prices, you must state the retail Federal excise tax for items covered by this order in one of the following ways:

(i) You may state your price as a price exclusive of tax, but indicate in the catalogue the amount of the tax, either in dollars and cents or as a percentage which the purchaser has to pay in addition to the price.

(ii) You may state the total price inclusive of the retail Federal excise tax with a notation following the price that the price includes the 20% retail Federal excise tax. A statement in the following form will be sufficient: Price \$1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.

(iii) You may indicate on each page of the catalogue listing the commodities covered by this order that the prices for

designated items include the 20% retail Federal excise tax.

The requirements with respect to catalogues apply only to catalogues which are issued subsequent to April 1, 1944. This order does not require that catalogues which have been issued prior to this date be changed. However, if your catalogue has been issued prior to April 1, 1944, you may collect the increase in the tax (or the new tax) if you disclose to your purchaser the full amount of the tax at the time that the purchaser is first notified by you of the additional charge for taxes.

(3) *Sales slips and other evidence of sale.* All sales slips or other evidences of sale which you give to your customers, must state the retail Federal excise tax for every item covered by this order in one of the following ways:

(i) You may state the dollars and cents amount of the tax separately from the price.

(ii) You may state the total price inclusive of the retail Federal excise tax with a notation on the sales slip that the price includes the 20% retail Federal excise tax. A statement in the following form is sufficient: Price \$1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.

(iii) You may set forth somewhere on the sales slip or receipt, or on a separate slip, that the prices for sales of designated items covered by this order, include 20% tax.

(4) *Sales made in retail stores.* In addition to stating the tax separately on all advertisements, catalogues, and sales slips, on sales made in your store of items covered by this order, you may collect the increase in the retail Federal excise tax (or the new tax) only if you notify your purchasers prior to the consummation of the sale of the whole amount of the tax. This notification must be accomplished in one of the following ways:

(i) You may state on price tags your price exclusive of the retail Federal excise tax but indicate either on the tag or on a readable notice posted near the point of sale the amount of the tax either in dollars and cents or as a percentage that the purchaser will have to pay in addition to the price.

(ii) You may state the total price on the tag with a notation that the price includes the 20% retail Federal excise tax. A statement in the following form is sufficient: Price \$1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.

(iii) You may display a poster or sign stating that the prices of designated commodities covered by this order include the 20% retail Federal excise tax. The statement must be posted at the place or places where the commodities are being offered for sale. It must be plainly visible to any purchaser, must be in easily readable lettering and must be large enough to allow all purchasers to read it from the normal place of purchase.

(d) *The extent to which uniformity is required in the application of these requirements.* It is not necessary that you elect and use the same method of stat-

¹ 8 F.R. 13977, 15193, 17414.

² 9 F.R. 1385.

³ 7 F.R. 5277, 6771, 8017, 8946, 8948, 8 F.R. 7601.

⁴ 8 F.R. 2209, 4732, 11041, 16060, 16426.

⁵ 8 F.R. 6262, 12477, 12660, 9 F.R. 2440.

⁶ 8 F.R. 6268, 12478, 12661, 9 F.R. 2440.

⁷ 7 F.R. 3553, 3720, 5179, 5520, 8945, 8948, 13050.

⁸ 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 1813, 2025, 6359, 13050, 13742, 16170.

ing the tax throughout your store or throughout any department of your store. It is only necessary that you follow a uniform practice with respect to each commodity, and that the method you use with respect to each commodity complies with this order.

This supplementary order shall become effective on the 1st day of April 1944.

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4508; Filed, March 30, 1944;
3:48 p. m.]

PART 1373—PERSONAL AND HOUSEHOLD
ACCESSORIES

[MPR 476.¹ Amdt. 3]

LUGGAGE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 476 is amended in the following respects:

1. Section 4 is amended to read as set forth below:

SEC. 4. Manufacturers must calculate retail ceiling prices. If you are a manufacturer, you must calculate the retail ceiling price for each item of luggage in the following manner:

First, find your ceiling price (f. o. b. factory, exclusive of federal excise tax) to the class of retailers which contained the largest number of your customers during August 1943. Multiply that price by 1.82. To that figure you may add the manufacturer's federal excise tax for all items in your factory on and after April 1, 1944, for which you have paid the manufacturer's federal excise tax or for which you are obligated to pay the manufacturer's federal excise tax. The resulting figure may be adjusted to the nearest \$0.05. The resulting price is the ceiling price exclusive of retail federal excise tax for all sales of the item at retail.

For example, if your ceiling price for sales to the class of retailers which contained the largest number of customers during August 1943 of a certain men's wardrobe is \$10.00, exclusive of federal excise tax, you multiply that price by 1.82, obtaining \$18.20. If you have not paid a manufacturer's excise tax, this price is the ceiling price exclusive of retail federal excise tax for all sales at retail. If you have paid or are obligated to pay the manufacturer's excise tax, you add \$1.00 (the amount of the manufacturer's excise tax) to \$18.20. The resulting figure (\$19.20) is then the ceiling price exclusive of the retail Federal excise tax for all sales at retail.

2. Section 5 (b) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 13977, 15193, 17414.

(b) On and after November 1, 1943, if you are a manufacturer, you may not deliver any item of luggage unless the retail price tag described below is attached to it. On and after November 15, 1943, if you are a jobber, you may not deliver any item of luggage unless the retail price tag is attached to it, and on and after November 30, 1943, if you are a retailer, you may not offer for sale, sell, or deliver any item of luggage unless the price tag is attached to it.

The tag must be a durable one and must be securely attached to the top or handle of the luggage. It must contain in easily readable lettering the retail ceiling price exclusive of the retail tax, manufacturer's lot number and size of the luggage, a space in which the retailer may insert his selling price and a space for insertion of the amount of the federal excise tax. The statement shall be in the following form:

OPA retail ceiling price, exclusive of retail federal excise tax.....
Selling Price.....
Retail Federal Excise Tax.....
Lot Number.....
Size.....

Do Not Detach

The tag may not be removed until after the luggage has been delivered to the retail purchaser.

3. Section 8 (a) is amended to read as follows:

(a) Section 4 of this regulation requires each manufacturer to calculate the retail ceiling price exclusive of the retail federal excise tax for each item of luggage he delivers to you on and after November 1, 1943. If you are a retailer, the price so calculated is the ceiling price, exclusive of the retail federal excise tax for all sales of such luggage by you to consumers. You will find the retail ceiling price on the tag which section 5 requires the manufacturer to attach to each item. In addition to the retail ceiling price listed on the tag, you may also collect the real federal excise tax if it is separately stated. You will find on each tag a blank space to list the tax. Before you sell, offer to sell, or deliver any item of luggage with the tag attached, you must fill the blank space with your selling price and the amount of the retail federal excise tax. You may not sell the item of luggage at a price higher than the sum of the ceiling price and the retail federal excise tax, which you have marked on the tag.

4. Section 10 is amended to read as set forth below:

SEC. 10. Ceiling prices for sales by jobbers of luggage with tags attached. If you are a jobber, you must determine your ceiling price for sales to retailers of any item of luggage to which a retail ceiling price tag has been attached by deducting 35 percent from the retail ceiling price. The retail ceiling price will not contain the retail federal excise tax but may contain the manufacturer's excise tax. The price so arrived at is your ceiling price inclusive of all federal taxes except the retail federal excise tax.

The ceiling prices established for jobbers' sales by this section and by section 11 of this regulation are the ceiling prices for sales to any person for resale, including all sales by jobbers to jobbers, by retailers to jobbers and by retailers to other retailers.

5. Section 12 is amended to read as set forth below:

SEC. 12. Taxes. The retail ceiling prices established under this regulation do not include the retail federal excise tax. The retail federal excise tax and any other tax upon the sale of any item of luggage imposed by any statute or ordinance of any state or subdivision thereof may be collected in addition to the ceiling price, if it is separately stated.

6. Section 5 (c) is hereby revoked.

This amendment shall become effective on the 1st day of April 1944.

(56 Stat. 23, 765, Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4509; Filed, March 30, 1944;
3:49 p. m.]

PART 1305—ADMINISTRATION

[Gen. R.O. 17]

EXPORT OF RATIONED FOODS

Procedures covering the ways in which rationed foods are acquired for export and exported rationed foods are replaced are at present provided in the respective ration orders covering the foods exported. Experience in the operation of the rationing program has shown that certain technical changes should be made to facilitate its operation in this respect. Thus, this order replaces such procedures and provides a uniform procedure by which points may be obtained for the acquisition of all rationed foods for export and covering the replacement of rationed foods exported. While in some respects this order simplifies existing procedures, it does not in any way change the substantive rights of any person acquiring or replacing such foods. Nor does it affect in any way the control over exports exercised by other government agencies, such as the Foreign Economic Administration; but merely provides ways in which rationed foods may be obtained for export as permitted by the regulations of the responsible government agencies, and by which rationed foods so exported may be replaced.

§ 1305.111 Export of rationed foods. Under the authority vested in the Administrator by Executive Orders 9125 and 9280, issued by the President on April 7, 1942, and December 5, 1942, respectively, Directive No. 1, issued by the War Production Board on January 24, 1942, and Supplementary Directives thereto and Food Directives Nos. 1, 3, 5, 6, and 7 issued by the Secretary of Agriculture, General Ration Order 17 (Export of Ra-

tioned Foods), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1305.111 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1-E, 7 F.R. 2965; WPB Supp. Dir. 1-M, 7 F.R. 8234; WPB Supp. Dir. 1-R, 7 F.R. 9684; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 2471.

GENERAL RATION ORDER 17—EXPORT OF RATIONED FOODS

CONTENTS

1. Scope of this order.
2. Who may export rationed foods.
3. Export of rationed foods to certain persons.
4. How evidences may be obtained to acquire rationed foods for export.
5. All advances must be accounted for.
6. How a person who has not received an advance obtains replacement.
7. Proof of export.
8. How consumers who personally export rationed foods acquire them.
9. How members of the armed forces of the United Nations may obtain rationed foods for personal export.
10. Rationed bank accounts for exporters.
11. Definitions.

SECTION 1. Scope of this order. This order covers the acquisition of rationed foods for export and the replacement of rationed foods exported.

SEC. 2. Who may export rationed foods. Any person may export rationed foods to a foreign country or to any territory or possession of the United States (other than the District of Columbia) without giving up or receiving ration evidences.

SEC. 3. Export of rationed foods to certain persons. Rationed foods are considered "exported" under this order, even though not as yet sent out of the country, if they are properly mailed to one of the following addresses, to a person who has been assigned that address:

(a) Any Army Post Office address at one of the following cities:

Boston, Massachusetts.
Charleston, South Carolina.
Hampton Roads, Virginia.
Miami, Florida.
New Orleans, Louisiana.
New York, New York.
San Francisco, California.
Seattle, Washington.

(b) A Fleet Post Office address at one of the following cities:

New York, New York.
San Francisco, California.

SEC. 4. How evidences may be obtained to acquire rationed foods for export. (a) Any person who desires to export rationed foods to any foreign country or to any territory or possession of the United States (other than the District of Columbia) may apply to the district office on OPA Form No. R-315, for evidences with which to acquire those rationed foods. The application must show:

(1) His name and address. (If the export is to be made in the course of his business, the applicant's business address should be given; if not, his residence address);

(2) The port (or other shipping point) from which the rationed foods will be

shipped, and how they are to be shipped; or, if the rationed foods are to be exported by mail, the address of the post office from which they will be mailed;

(3) The name and address of the person to whom the rationed foods are to be exported;

(4) The amount, by item, of each rationed food to be exported.

(However, military or naval information which is secret in nature need not be disclosed.)

(b) If the district office finds that the rationed foods for which the application is made will be exported, it shall issue ration evidences for the amount of rationed foods to be exported.

(c) No person may use rationed foods acquired with ration evidences issued under this section for any purpose other than export. However, if he is unable to export any such rationed foods, he may dispose of them by transfer or delivery in the way that a "retailer" is permitted under the ration order covering that food. Immediately after so disposing of the rationed foods he must give up to the district office evidences covering the amount of rationed foods so transferred or delivered.

SEC. 5. All advances must be accounted for. A person who received evidences under section 4, must within 30 days after receiving them, account to the district office for all evidences so received, by giving proof of export, or by returning to the district office evidences for the difference between the value of those received and the value of the rationed foods exported.

SEC. 6. How a person who has not received an advance obtains replacement. A registered retailer, wholesaler, primary distributor (under Ration Order 16), or processor or country shipper (under Ration Order 13) who exported foods covered by the order under which he is registered and who did not receive evidences for the food, either under section 4 or in any other way, may apply to the district office on O.P.A. Form R-315 for evidences covering the amount of the rationed food exported. He must submit proof of export with his application. If the district office finds he exported rationed food and that he has not already received evidences for such food, it shall issue to him evidences for the amount of rationed food he exported.

SEC. 7. Proof of export. (a) Any person who needs to submit proof of export under section 5 or 6, must, unless the foods are exported by mail, submit a copy of a shipper's Export Declaration (Commerce Form 7525) to the district office within 30 days after the export. The declaration must contain a description of the rationed foods exported, showing the amount of each, and a statement signed by an authorized customs official that, to the best of his knowledge and belief, such rationed foods were exported by such person.

(b) If export rationed foods were consigned to an agency of the United States, and no Shipper's Export Declaration was filed at the time of the shipment, the exporter may submit, instead of such declaration, a bill of lading, manifest, or other satisfactory evidence that the

rationed foods were actually exported to such agency of the United States.

(c) If the rationed foods are exported by mail, the person exporting them shall obtain from the post office a certificate of mailing (Post Office Form No. 2965, 3817, 3877, 3881, or 3882) in which, at the time of mailing, he shall write his name and address and the name and address of the person to whom the rationed foods are being mailed. A statement signed by the person mailing the package, describing the kinds and amount of rationed foods contained in the package, shall be attached to the certificate. The certificate of mailing and any accompanying statements required by this paragraph, must be submitted to the district office within 15 days after mailing.

(d) An agency of the United States which has exported rationed foods need not submit any formal proof of export, in order to obtain replacement and need not account for evidences advanced under section 4.

NOTE: Exceptions to this section are set forth in sections 8 and 9.

SEC. 8. How consumers who take rationed foods outside the United States acquire them. (a) Any consumer, except a member of the armed forces of the United States or of one of the United Nations, who is leaving the Continental United States and who wishes to take rationed foods outside the Continental United States for his personal use or for the use of members of his family, may apply to the district office for evidences to acquire those foods.

(b) Application shall be made to the district office, on OPA Form R-315, by the consumer or by an authorized agent. The application must show:

(1) The consumer's name and address;

(2) His destination;

(3) His method of departure from the United States (ship, airplane, train);

(4) The amounts and kinds of rationed foods he wishes to acquire;

(5) That the rationed foods are to be consumed by him or by members of his family, outside the Continental United States.

(However, military or naval information which is secret in nature need not be disclosed.)

(c) If the district office finds that the facts stated in the application are true, it shall issue to the applicant evidences for the amount of rationed foods he will export.

(d) If the applicant does not take the rationed foods outside the Continental United States within 30 days after the evidences have been issued to him by the district office, he must report such fact to the district office in writing. If the evidences have not been used, they must be surrendered to the district office. If the evidences have been used to acquire any rationed food, the consumer may dispose of the food by transfer or delivery in the way a "retailer" is permitted under the ration order covering that food. Immediately after such disposition he must give up to the district office evidences

covering the amount of rationed foods so transferred or delivered.

SEC. 9. *How members of the armed forces of the United Nations may obtain rationed foods for personal export.* (a) A member of the armed forces of the United States, or of one of the United Nations, who is leaving the Continental United States and who wishes to take rationed foods outside the Continental United States, may apply to the district office for evidences to acquire those foods.

(b) Application shall be made to the district office, on OPA Form R-315, by the consumer or by an authorized agent. The application must show:

(1) The applicant's name and address;

(2) That the applicant is a member of the armed forces of the United States or of one of the United Nations;

(3) The amounts and kinds of rationed foods he wishes to acquire.

He shall submit with the application a certification by his commanding officer that the applicant is authorized personally to export the amount of rationed foods requested. (However, military or naval information which is secret in nature need not be disclosed.)

(c) If the district office finds that the facts stated in the application are true and that the applicant will export the foods for which the application is made, it shall issue to the applicant evidences for the amount of rationed foods he will export.

(d) If the applicant does not take the rationed foods outside the Continental United States within 30 days after the evidences have been issued to him by the district office, he must account for them in the way provided in section 8 (d).

SEC. 10. *Ration bank accounts for exporters.* (a) Every person who is engaged in a business which involves the export of rationed foods may open a ration bank account, in accordance with the provisions of Revised General Ration Order 3A, for each such rationed food he exports, (for which he does not already have an account), in the same way that a "wholesaler" registered under the provisions of the order rationing that food may open an account. (However, such an exporter is not, merely because of his exports, required to register as a "wholesaler" under such ration order.)

(b) Only ration evidences received to acquire rationed foods for export may be deposited in an account opened under this section and checks may be issued against that account only to acquire rationed foods for export or to account to the district office for evidences received to acquire such foods.

SEC. 11. *Definitions.* When used in this order:

(a) "Acquire" means obtain possession or title.

(b) "Consumer" means any individual who acquires rationed foods for personal use.

(c) "District Office" means the district office of the Office of Price Administration for the place where the applicant resides or, if the export is made in the course of the applicant's business, the

district office for the place where his principal business office is located.

(d) "Evidences" or "ration evidences" means documents issued by the Office of Price Administration authorizing the transfer, delivery, or acquisition of rationed foods and includes stamps, coupons, ration checks, and certificates.

(e) "Order" or "ration order" means any food ration order issued by the Office of Price Administration.

(f) "Person" means not only an individual, but also a partnership, corporation, association, or business trust and includes a government, government agency, and any other organized group or enterprise.

(g) "Rationed foods" means "sugar", "foods covered by Ration Order 16", or "processed foods", which terms have the meaning given to them in Rationing Order No. 3 and Ration Orders 16 and 13, respectively.

This order shall become effective April 5, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4567; Filed, March 31, 1944;
11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,¹ Amdt. 12]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 422 is amended in the following respects:

1. A new paragraph (j) is added to section 20 to read as follows:

(j) *Poultry bought live, dressed or drawn and sold in parts—(1) "Cut-up poultry".* If you buy poultry live, dressed or drawn, and you sell such poultry in parts which are "cut-up poultry" as defined in Revised Maximum Price Regulation No. 269,² you shall figure your ceiling price for each item of such "cut-up poultry" as though you had bought it "cut-up", using as your "net cost" per pound the lowest ceiling price per pound fixed by Revised Maximum Price Regulation No. 269, which would apply to sales to you by your customary type of supplier delivered to your usual receiving point, of such "cut-up poultry" items during the week in which you are figuring your ceiling price for the item. To that "net cost", you shall apply the mark-up applicable to that kind

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370; 9 F.R. 95.

² 8 F.R. 13813, 14016, 15258, 14854, 15190, 16793; 9 F.R. 95, 612, 902, 96, 1036, 1941.

of poultry bought cut-up and sold cut-up. The resulting figure will be your ceiling price per pound for that item of "cut-up poultry".

(2) *Poultry other than "cut-up poultry".* If you buy poultry live, dressed or drawn and you sell such poultry in parts (other than split, or in quarters) which are not "cut-up poultry" as defined in Revised Maximum Price Regulation No. 269, you shall figure a separate ceiling price for each of such parts. You must use as your "net cost" per pound for each of such parts the lowest ceiling price per pound fixed by Revised Maximum Price Regulation No. 269 which would apply to sales to you by your customary type of supplier delivered to your usual receiving point, of such part, during the week in which you are figuring your ceiling price for the item. To that "net cost", you shall apply the mark-up applicable to that kind of poultry bought cut-up and sold cut-up. The resulting figure will be your ceiling price per pound for such parts.

2. Section 39 (b) (3) is amended to read as follows:

(3) *Poultry.* "Poultry" means all chickens, ducks, geese and turkeys in any form, excluding "started" poultry sold for breeding purposes, canned poultry and cooked or smoked poultry. Poultry which is drawn by a retailer shall be priced in accordance with the provisions of section 20 (i). Poultry which is bought live, dressed or drawn and is sold by the retailer "cut-up" or in parts, shall be priced in accordance with the provisions of section 20 (j). "Frozen poultry" is as defined in Revised Maximum Price Regulation No. 269, except that the first sentence of § 1429.19 (i) (4) (ix) shall not apply. Unless the context otherwise requires, the definitions set forth in §§ 1429.17, 1429.19, 1429.20 and 1429.21 of Revised Maximum Price Regulation No. 269 shall apply to terms used herein wherever applicable.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4565; Filed, March 31, 1944;
11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,¹ Amdt. 13]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 423 is amended in the following respects:

1. Section 18 (c) is amended to read as follows:

¹ 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 15631, 17371.

(c) Section 20. *How you figure your "net cost" in certain cases.* (Applies to you if you purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; or if you buy poultry live, dressed or drawn and sell it cut-up or in parts.)

2. Section 28 (b) (3) is amended to read as follows:

(3) *Poultry.* "Poultry" means all chickens, ducks, geese and turkeys in any form, excluding "started" poultry sold for breeding purposes, canned poultry and cooked or smoked poultry. Poultry which is drawn by a retailer and poultry which is bought live, dressed or drawn and is sold by the retailer "cut-up" or in parts, shall be priced in accordance with the provisions of section 18 (c). "Frozen poultry" is as defined in Revised Maximum Price Regulation No. 269, except that the first sentence of § 1429.19 (i) (4) (ix) shall not apply. Unless the context otherwise requires, the definitions set forth in §§ 1429.17, 1429.19, 1429.20, and 1429.21 of Revised Maximum Price Regulation No. 269¹ shall apply to terms used herein wherever applicable.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4566; Filed, March 31, 1944;
11:54 a. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 507,¹ Amdt. 1]

CEILING PRICES OF CERTAIN FRESH FISH AND
SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respects:

1. Section 15 (a) (1) is amended to read as follows:

SEC. 15. *How you figure your ceiling price for items which you "process"—(a) Fresh fish—(1) "Net cost".* If, prior to offering any item of fresh fish for sale,

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 607.

² 8 F.R. 13813, 14016, 15258, 14854, 15190, 16793. 9 F.R. 95, 612, 902, 96, 1036, 1941.

you "process" it by changing its form to either drawn, dressed, dressed and skinned, fillets, cuts or steaks (sliced), you will figure your "net cost" as though you had purchased the item already processed. Your "net cost" for any style of dressing is the price, fixed at the time you process it, for that style of dressing in Maximum Price Regulation No. 418,² as listed in the table of prices covering your supplier's sales to you. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) If the item which you "process" is one which you purchased from a producer under Table A in Maximum Price Regulation No. 418, your "net cost" is the price, fixed at the time you process it, for that style of dressing in Table B of Maximum Price Regulation No. 418.

If, prior to offering any item of fresh fish for sale, you "process" it by changing its form to cuts or steaks (sliced), and if Maximum Price Regulation No. 418 does not fix a price for that style of dressing, you will figure your "net cost" as follows:

(i) For salt-water fish, find the price per pound fixed at the time you process it in Maximum Price Regulation No. 418 in the table of prices covering your supplier's sales to you of that kind of fish bought dressed. (If the item which you process is one which you purchased from a producer under Table A of Maximum Price Regulation No. 418, use the dressed price, fixed at the time you process it, in Table B of Maximum Price Regulation No. 418.) Multiply that price by 1.40. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) The resulting figure will be your "net cost" per pound for the item.

(ii) For fresh-water fish, find the price per pound fixed at the time you process it in Maximum Price Regulation No. 418 in the table of prices covering your supplier's sales to you of that kind of fish bought round. Multiply that price by 1.45. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) The result-

² 8 F.R. 9366, 10086, 10513, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16293, 16296. 9 F.R. 90, 1325, 1532, 1575, 2133.

CENTS-PER-POUND MARK-UPS OVER "NET COST" ALLOWED TO RETAILERS FOR FRESH FISH AND SEAFOOD
COVERED BY THIS REGULATION, BY SPECIES, FOR THE MONTHS OF JANUARY, FEBRUARY, AND MARCH

Kind of fish	Whole fish, sold on gross weight basis and prepared to customer's order ¹				Fillets, cuts and steaks sold as purchased ²			
	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV
I. Fresh fish:								
18. Bonito	9	7	9	7	9	7	9	7
41. Lake Trout, Canadian	10	8	12	10	12	11	10	8
42. Pickerel, Canadian	9	8	10	8	10	8	10	8
43. Whitefish, Canadian	11	9	12	11	12	11	12	11
44. Yellow Pike, Canadian	11	9	12	11	12	10	12	10
45. Yellow Perch, Canadian	9	7	12	10	12	10	12	10

¹ Retailers processing items prior to offering for sale at retail, who price in accordance with section 15 (a) (2) or section 15 (b) (2) shall use these tables.

ing figure will be your "net cost" per pound for the item.

If you received deliveries from more than one type of supplier, use the table price in Maximum Price Regulation No. 418 applicable to the type of supplier from whom you received the largest single delivery.

NOTE: This paragraph (a) applies only to processing which changes the item to one of the following major styles of dressing: drawn, dressed, dressed and skinned, fillets, cuts or steaks.

2. In section 15 (a) (2), two new un-designated paragraphs are added to read as follows:

Or, for example, if in the month of March you purchase haddock (a salt-water fish) round, drawn, or dressed, from a cash-and-carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the haddock for sale, you change its form to steaks (sliced) your "net cost" under this regulation is the Table D price listed in Maximum Price Regulation No. 418 for dressed haddock multiplied by 1.40 (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for haddock in the table covering fillets, cuts and steaks sold as purchased.

However, if in the month of March you purchase Canadian pickerel (a fresh-water fish) round, gutted, or headed and gutted, from a cash-and-carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the pickerel for sale you change its form to steaks (sliced) your "net cost" under this regulation is the Table D price listed in Maximum Price Regulation No. 418 for round Canadian pickerel multiplied by 1.45 (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for Canadian pickerel in the table covering fillets, cuts and steaks sold as purchased.

3. In section 26, I, items (18), (41), (42), (43), (44), and (45) in Table A are amended to read as follows:

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4571; Filed, March 31, 1944;
11:47 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,¹ Amdt. 2]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respect:

1. In section 26, the heading of Table A is amended to read as follows: "Cents-per-pound mark-ups over 'net cost' allowed to retailers for fresh fish and seafood covered by this regulation, by species, for the months of January, February, March and April."

This amendment shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4572; Filed, March 31, 1944;
11:46 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 481,² Amdt. 3]

SLACK COOPERAGE AND COOPERAGE STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 481 is amended in the following respects:

1. The title is amended to read "Slack Cooperage and Cooperage Stock."

2. The phrase "slack staves, slack heading and slack cooperage" is deleted from the heading and text of § 1377.303, the heading and item 1 of the table of contents, and from the heading and text of section 1. In its place is inserted the phrase "slack cooperage and cooperage stock."

3. In section 3, paragraph (b) a new unlettered paragraph is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 607.

²8 F.R. 14312, 16790.

The term "wood hoops," as used in this regulation, includes all knife-cut, beveled barrel or keg hoops and headliners made of wood and produced in Arkansas, Louisiana, Indiana or Ohio.

4. Section 4 is amended to read as follows:

SEC. 4. Maximum prices for slack cooperage stock.—(a) Factory or mill sales. In direct factory sales of more than 6,000 pounds, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for slack cooperage stock are those contained in the Tables I and II below:

TABLE I—SLACK STAVES, KNIFE CUT, HARDWOOD, AIR-DRIED, JOINTED

[Per M grading rule average measurement,
f. o. b. mill or railroad]

	Mill run	#1	#2 and lower ¹
All hardwood species except Ash #1: ²			
Over 30" through 34"	\$22.50	\$24.50	\$20.50
28" through 30"	19.00	21.00	17.00
23" to 28"	17.00	19.00	15.00
Over 18" to 23"	14.00	16.00	12.00
18" and under	11.00	13.00	9.00
Ash #1:			
100% white butter tub stock, 30"	25.00		
Red butter tub stock 30"	22.00		
Woods Run butter tub stock, 30" ³	24.00		

¹ Except mouldy, mildewed and stained.

² Individually or mixed.

³ Must contain at least 66% all white.

NOTES: A. Allowable additions to maximum prices for staves per M:

1. Kiln drying to 7% or less..... \$1.50
2. Tongue and groove through 30".... 2.00
- Over 30" through 34"..... 2.50

B. The maximum price for mouldy, mildewed and/or stained staves is \$1.00 per M less than the regular grade. In #2, this is an exception to the grading rule.

TABLE II—SLACK STAVES, SAWED ON PARALLEL SIDED DRUM SAW, AIR-DRIED, JOINTED, NOT CROZED

[Per M 4" average bilge width, $\frac{3}{8}$ " thick, f. o. b. mill or railroad]

Length of staves	Pine	Hard-wood
28 $\frac{1}{2}$ "	\$16.00	\$17.00
Over 28 $\frac{1}{2}$ " through 30"	17.00	18.00
Over 30" through 32"	18.00	19.00

TABLE III—PINE HEADING SAWED, KILN DRIED, PLANED ONE SIDE, STRAIGHT JOINTED, CIRCLED, BUNDLED

[Per set f. o. b. mill or railroad]

Diameter	#1	MR	#2
12 $\frac{1}{2}$ " to 13" x $\frac{1}{2}$ "	\$0.10	\$0.09	\$0.08
13" to 14" x $\frac{1}{2}$ "	.11	.10	.09
14" to 15" x $\frac{1}{2}$ "	.135	.125	.115
15" to 16" x $\frac{1}{2}$ "	.15	.14	.13
16" to 17" x $\frac{1}{2}$ "	.16	.15	.14
17" to 18" x $\frac{1}{2}$ "	.175	.165	.155
18" to 19" x $\frac{1}{2}$ "	.18	.17	.16
19" to 19 $\frac{1}{2}$ " x $\frac{1}{2}$ "	.19	.18	.17
19 $\frac{1}{2}$ " to 20" x $\frac{1}{2}$ "	.20	.19	.18
20" to 21" x $\frac{1}{2}$ "	.22	.21	.20
21" to 22" x $\frac{1}{2}$ "	.25	.24	.23
22" to 23" x $\frac{1}{2}$ "	.28	.27	.26
23" through 24" x $\frac{1}{2}$ "	.37	.36	.35

Planed 2 sides add 2¢ per set.

Add per set

Square edge heading..... \$0.015

Hardwood heading..... .04

For additional thicknesses all sizes and species:

	Percent
$\frac{1}{16}$ "	10
$\frac{1}{8}$ "	20
$\frac{1}{4}$ "	50
$\frac{5}{16}$ "	75
$\frac{3}{8}$ "	100

Add for tongue, groove and glued

	Pine	Hard-wood
12 $\frac{1}{2}$ " to 16"	\$0.02 $\frac{1}{2}$	\$0.03
16" to 18"	.03	.03 $\frac{1}{2}$
18" to 20"	.03 $\frac{1}{2}$	.04
20" to 22"	.04	.04 $\frac{1}{2}$
22" through 24"	.05	.05 $\frac{1}{2}$

TABLE IV—WOODEN HOOPS

[Per M, f. o. b. mill or railroad]

Length of hoop	Arkansas and Louisiana	Indiana and Ohio
6' 9"	\$25.00	\$27.50
6' 0"	24.00	26.50
5' 6"	23.00	25.50
5' 3"	22.00	24.50
5' 0"	20.00	22.50
4' 8"	14.00	16.50
4' 4"	13.00	15.50
4' 0"	12.00	14.50
3' 8"	11.00	13.50
3' 4"	10.00	12.50
3' 0"	8.00	10.50

HEADLINERS

12"	\$1.25	\$1.50
18"	1.50	1.75

On shipments of staves, headings and/or hoops of 6,000 pounds or less from a producing factory, a mark-up of 10 percent may be added to the maximum prices contained in the schedule;

(b) **Warehouse sales.** In warehouse sales the maximum prices for slack cooperage stock shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 plus average inbound freight from the producing factory to the warehouse.

As used in this regulation a "warehouse sale" is a sale in which shipment or delivery is made from an established storage or distribution place located and operated independently of the producing mill or factory. No shipment from a stave, heading, or hoop mill may be considered a "warehouse sale".

Average inbound freight is to be weighted by the quantity in the warehouse at the time of making the computation. The average must be figured at least once each month, and must be used in computing prices during the succeeding month.

As used in this regulation the term "warehouseman" is one who maintains an established storage or distribution place, located and operated independently of a producing mill or factory and from which shipments of cooperage stock are made.

(c) **Sales by dealers or merchants.** In sales by dealers or merchants of purchased stock the maximum prices for

slack cooperage stock shall be the maximum f. o. b. producing factory price for a similar sale plus the following mark-ups:

	Per M	Per C Sets
Staves	\$0.50	
Heading:		
15" and less in diameter	\$0.25	
Over 15" to 17½" in diameter	.35	
17½" and over in diameter	.50	
Hoops:	Per M	
4'6" to 6'9", inclusive	\$0.50	
3' to 4'3", inclusive	.30	

As used in this regulation the term "dealer or merchant" is one who, although he does not take actual physical possession, buys, takes title to, resells and assumes credit risks and responsibility for grade and count. No producer may qualify as a dealer or merchant under this regulation of products which he has produced.

5. In section 15, paragraph (b) is amended to read as follows:

(b) *Second Revised Maximum Export Price Regulation.*⁸ The maximum prices for export sales of products covered by this regulation are governed by the Second Revised Maximum Export Price Regulation.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4576; Filed, March 31, 1944;
11:48 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 26,¹ Amdt. 6]

DOUGLAS FIR AND OTHER COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 2 (a) at the end of the first paragraph, the following sentence is added: "The term 'lumber' as used here specifically includes mouldings."

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4573; Filed, March 31, 1944;
11:47 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 7570, 9519, 11508, 12315, 12406, 16249;

F.R. 1016.

²8 F.R. 4132, 5987, 7662, 9998, 15193.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,¹ Amdt. 6]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is amended in the following respect:

1. Section 1.1 is amended to read as follows:

SEC. 1.1 *Territorial limitations.* The provisions of this ration order shall apply only in the Islands of Kauai, Maui, Oahu, Hawaii and Molokai in the Territory of Hawaii.

This amendment shall become effective April 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 31st day of March 1944.

MELVIN C. ROBBINS,
Territorial Director.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-4581; Filed, March 31, 1944;
11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,² Amdt. 6]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.168 (e) is amended by deleting the words "§ 1407.183 (b) of this order" and inserting in place thereof the words "§§ 1407.182 (a) or 1407.183 (c) of this order or to sugar delivered for export under General Ration Order 17."

2. Section 1407.122 is amended by deleting from the last sentence the words "paragraph (b) of § 1407.183" and inserting in place thereof the words "§§ 1407.182 (a) or 1407.183 (c)".

3. Section 1407.123 is amended by deleting the words "§ 1407.183 (b)" and inserting in place thereof the words "§§ 1407.182 (a) or 1407.183 (c)".

4. Section 1407.183 (a) is amended by deleting the first sentence and inserting in place thereof the following sentence: "A registering unit which, at any time after registration, delivers sugar to any of the persons or agencies enumerated in paragraph (c) of this section may deliver such sugar without receiving stamps or certificates therefor."

¹8 F.R. 10742, 10757, 13125, 14155, 15985.

²9 F.R. 1433, 1534, 2233.

5. Section 1407.183 (b) is revoked.

6. Section 1407.183 (e) is added to read as follows:

(e) The acquisition of sugar for export and the replacement of sugar exported is covered by General Ration Order 17.

This amendment shall become effective April 5, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965, Food Dir. No. 3, 8 F.R. 2005)

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4583; Filed, March 31, 1944;
11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,¹ Amdt. 19]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 22.1 is amended to read as follows:

SEC. 22.1 *Processed foods may be exported under General Ration Order 17.* (a) Any "person" may export "processed foods" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) in accordance with the provisions of General Ration Order 17.

(b) A "processor" or a "country shipper" who does not apply for points to replace the processed foods exported, and a "wholesaler" who has not applied for an advance of points to "acquire" the processed foods exported or who does not apply for points to replace them, must attach his proof of export to his periodic report on OPA Form R-1303 (country shippers), OPA Form R-1305 (processors), or OPA Form R-1310 (wholesalers) covering the reporting period in which the export was made.

2. Section 22.2 is revoked.

3. Section 22.3 is revoked.

This amendment shall become effective April 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4580; Filed, March 31, 1944;
11:48 a. m.]

¹9 F.R. 3, 104, 693, 574, 848, 765, 1393, 1727, 1817, 1908, 2233, 2234, 2240, 2567.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 121]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 21.1 is amended to read as follows:

SEC. 21.1 *Foods covered by this order may be exported under General Ration Order 17.* (a) Any "person" may export "foods covered by this order" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) in accordance with the provisions of General Ration Order 17.

(b) A "primary distributor" who does not apply for points to replace the foods covered by this order which he exported must attach his proof of export to his report on OPA Forms R-1606 (Revised), R-1607, R-1609 (Revised), or R-1626 covering the reporting period in which the export was made.

2. Section 21.2 is revoked.
3. Section 21.3 is revoked.

This amendment shall become effective April 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4579; Filed, March 31, 1944;
11:48 a. m.]

PART 1411—COMPENSATORY ADJUSTMENT

[Rev. Comp. Adj. Reg. 1,² Amdt. 2]

WARTIME INCREASES IN THE COST OF TRANSPORTING OF COAL

Revised Compensatory Adjustment Regulation No. 1 is amended in the following respect:

Section 1411.7 is amended by changing the final period to a comma and adding thereto the following: "except that, converters from oil to coal who have received

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406.

² 8 F.R. 13980, 15705.

compensatory adjustment payments on coal received prior to the month of October 1943 and whose eligibility has been terminated by § 1411.1 (a) of this revised regulation, shall be eligible to apply for compensatory adjustment on coal received during the period July 1943 to and including October 1943."

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4575; Filed, March 31, 1944;
11:47 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[RMPR 293,¹ Amdt. 4]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first paragraph of section 2 (a) is amended by adding a new sentence as follows: "This regulation also covers flush veneered doors with hollow cores made of any species of lumber or insulating board."

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4582; Filed, March 31, 1944;
11:50 a. m.]

Item and Brand Names	Unit	Price to wholesaler	Price at wholesale	Retail price per unit
Tomato sauce: Cock Robin.....	Carton 72/8 oz. tins.....	\$4.35	\$4.90	\$0.09

2. Section 54 (a) (1) Group C is amended by adding a new item to read:

"Dresses and suits (children's) sizes 12 or under in dresses and 16 or under in suits, having a direct cost to the importer of more than \$18.00 per dozen".

3. Section 54 (g) (3) is amended to read as follows:

(3) All entries in the textile reference book shall be made in numerical sequence. All imported textile products in inventory on November 22, 1943, shall be recorded before entries are made of any items subsequently received. Before the

¹ 8 F.R. 12694, 14346, 14314, 16199.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,¹ Amdt. 29, Corr.]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

Amendment 29 to Maximum Price Regulation 373 is corrected in the following respects:

1. In section 57, Table B, under the heading "(4) Chevrolet, 1936-Series 6-FD-Master De Luxe" the item "Coupe-2-\$378" is corrected to read "Coupe-2-\$368"; and the item "Sport Coupe-2-4-\$368" is corrected to read "Sport Coupe-2-4-\$378".

2. In section 57, Table B, under the heading "(21) Pontiac, 1939-Series 8-28 E-A-De Luxe" the item "Sedan TK, 4 Dr.-6-\$710" is corrected to read "Sedan TK, 4 Dr.-6-\$755"; and the item "Sedan TK, 2-Dr.-6-\$755" is corrected to read "Sedan TK, 2 Dr.-6-\$710."

This correction shall become effective as of December 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4578; Filed, March 31, 1944;
11:48 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,² Amdt. 30]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 24 Table 8 is amended by adding a new item to read as follows:

first entry on such inventory the seller shall state: "Inventory as of November 22, 1943". Prior to recording each subsequent delivery of any items in the textile reference book, the seller shall note: "New merchandise received after November 22, 1943". Imported textile products received by the seller which are identical to products earlier entered into the Reference Book shall be reentered under a new reference stock number.

This amendment shall become effective April 6, 1944.

¹ 8 F.R. 17201.

² 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4574; Filed, March 31, 1944;
11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR. 1, to GMPR Amdt. 52]

ANTHRACITE INDUSTRIES, INC.

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 2.9 (k) is added to read as follows:

(k) Analyzed Pennsylvania anthracite sold by the Anthracite Industries, Inc., to testing laboratories for use as a standard test fuel.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4570; Filed, March 31, 1944;
11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 112]

MAXIMUM PRICES FOR PROCESSORS OF CERTAIN WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. Section 2.14 (a) is amended to read as follows:

(a) *Maximum prices for processors.* Any processor of fruit wines, berry wines, and grape wines (other than California grape wines) may add to the maximum price established for him under § 1499.2 of the General Maximum Price Regulation, with respect to any brand, type, quality, and container size of such wines, the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof which is imposed upon such processor or any prior vendor after March 31, 1942, with respect to fruit wines, berry wines and grape wines (other than California grape wines), by any statute of the United States or statute or ordinance of

any state or subdivision thereof: *Provided*, That the amount of such tax or increase in such tax shall have been paid or shall have accrued and be payable by such processor to the proper taxing authorities or to any prior vendor, with respect to any particular quantity of such fruit wines, berry wines and grape wines (other than California grape wines) in question.

2. Section 2.14 (b) is hereby revoked.

3. Section 2.14 (c) is redesignated 2.14 (b).

4. A new section 2.14 (c) is added to read as follows:

(c) *Treatment of increase effective April 1, 1944, in United States excise taxes.* (1) On and after April 1, 1944, every processor must state upon each invoice to any class of customers (except monopoly states and consumers) that the prices stated in the invoice include the increase effective April 1, 1944, in United States excise taxes and that no markup may be applied to the amount of such tax increase. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

Our invoice prices include the increase effective April 1, 1944 in United States excise taxes. Office of Price Administration regulations prohibit a markup on the amount of that tax increase.

(2) For sales to monopoly states every processor who was heretofore required to separately state the amount of any tax which became effective after March 31, 1942, on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell, shall continue to do so notwithstanding the provisions of paragraph (1) hereof.

5. The headnote of section 2.15 (a) is amended to read as follows:

(a) *Maximum prices for processors.*

6. Section 2.15 (a) (1) to but not including subdivision (i) is amended to read as follows:

(1) *Permitted increase, specified types of wine.* On and after February 5, 1943, any processor may add to the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation and section 2.14 of this regulation, for the fruit wines, berry wines and grape wines hereinafter described (other than California grape wines) made from the 1943 crop and prior crops of berries, fruits, and grapes, a permitted increase per gallon as follows:

7. Section 2.15 (a) (2) is amended to read as follows:

(2) Every processor shall convert his permitted increase per gallon computed under subparagraph (1) into a permitted increase per case, container or other unit of sale on the basis of the number of gallons of the particular type of wine contained therein, and if such permitted increase per case, container or other unit of sale includes the fractional part of a cent, shall adjust the permitted increase to the nearest higher full cent if the fraction is $\frac{1}{2}$ cent or over, or to the nearest

lower full cent if the fraction is less than $\frac{1}{2}$ cent.

8. Section 2.15 (b) (c) and (d) are hereby revoked.

9. Section 2.15 (e) is redesignated 2.15 (b) and is amended to read as follows:

(b) *Determination of maximum prices by reference to maximum prices of most closely competitive seller.* If a processor's maximum price for any type, quality and container size of berry wines, fruit wines or grape wines (other than California grape wines) listed in paragraph (a) (1) hereof made from the 1943 crop or prior crops of berries, fruits, or grapes cannot be determined under paragraph (a) hereof, his maximum price therefor shall be the maximum price established under paragraph (a) hereof for his most closely competitive seller of the same class for the same type, quality and container size of wine, or for the similar commodity most nearly like it (as such term is defined in § 1499.2 of the General Maximum Price Regulation) for sales to purchasers of the same class.

10. Sections 2.15 (f) and 2.15 (g) are redesignated 2.15 (c) and 2.15 (d) respectively.

11. Sections 2.16 and 2.17 are hereby revoked.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4577; Filed, March 31, 1944;
11:48 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter H—Coast Guard: Inspection and Navigation

PART 312—PILOT RULES FOR INLAND WATERS

PILOT RULES

By virtue of the authority vested in me by section 2, 30 Stat. 102, 38 Stat. 381 (33 U.S.C. 157) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the Inspection and Navigation regulation is prescribed:

The document dated February 5, 1944, published in 9 F.R. 1535, is amended by changing the effective date to read May 1, 1944, instead of April 1, 1944.

Dated: March 31, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 44-4564; Filed, March 31, 1944;
11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 17-30]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

RETAIL AND WHOLESALE DELIVERIES OF CUT FLOWERS AND PLANTS DURING CERTAIN HOLIDAY PERIODS

Pursuant to § 501.71 of General Order ODT 17, as amended, it is hereby authorized, that:

§ 521.2906 *Retail and wholesale deliveries of cut flowers and plants during certain holiday periods.* Notwithstanding the provisions of paragraph (b) of § 501.75 (limiting the number of days of motor truck operations), subparagraph (1) of paragraph (a) of § 501.76 and Appendix No. 2 (limiting the frequency of deliveries weekly), and subparagraph (2) of paragraph (a) of § 501.76 (limiting deliveries on Sunday) of General Order ODT 17, as amended, any motor carrier may make the following number of deliveries of cut flowers and plants from any one point of origin to any one point of destination:

(a) Two retail deliveries during the calendar week in which St. Valentine's Day occurs: *Provided*, That one of such retail deliveries shall be made on St. Valentine's Day.

(b) Four retail deliveries during the calendar week preceding Easter Sunday: *Provided*, That one each of such retail deliveries shall be made on Thursday, Friday, and Saturday of such week; and two retail deliveries during the calendar week in which Easter Sunday occurs: *Provided*, That one of such retail deliveries shall be made on Easter Sunday.

(c) Three retail deliveries during the calendar week preceding Mother's Day: *Provided*, That one each of such retail deliveries shall be made on Friday and Saturday of such week; and two retail deliveries during the calendar week in which Mother's Day occurs: *Provided*, That one of such retail deliveries shall be made on Mother's Day.

(d) Three retail deliveries for patriotic or memorial purposes during the calendar week in which Memorial Day occurs: *Provided*, That one of such retail deliveries shall be made on Memorial Day and one of such retail deliveries shall be made on one of the two days immediately preceding Memorial Day.

(e) Two retail deliveries during the calendar week in which Thanksgiving Day occurs: *Provided*, That one of such deliveries shall be made on the Wednesday immediately preceding Thanksgiving Day.

(f) Six retail deliveries during the two-weeks period comprised of the calendar week during which Christmas Day occurs and the preceding calendar week: *Provided*, That one of such retail deliveries shall be made on Christmas Day and one on each of the three days immediately preceding Christmas Day.

(g) Six wholesale deliveries during the calendar week immediately preceding Easter Sunday.

(h) Six wholesale deliveries during the calendar week in which Christmas occurs, one of which may be made on Sunday.

This General Permit ODT 17-30 shall become effective March 29, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 29th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4436; Filed, March 30, 1944;
10:35 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, OREG.-WASH.
ORDER CONFIRMING AND APPROVING RATE SCHEDULE

MARCH 28, 1944.

In the matter of Bonneville Project, Columbia River, Oregon-Washington.

The Bonneville Power Administrator submitted on January 24, 1944, and modified on February 5 and 23, 1944, a new schedule of rates and charges for electric energy produced at the Bonneville Project, for confirmation and approval by the Federal Power Commission, pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended.

It appears to the Commission that:

(a) Such new schedule, designated as Wholesale Power Rate Schedule E-2 (hereinafter Schedule E-2), provides an optional lower rate for at-site and transmission system firm power delivered to those purchasers for resale (including public bodies and cooperatives) to ultimate consumers and for irrigation and drainage pumping service, who purchase at least ninety per cent of their electric energy requirements from the Bonneville Project.

(b) Schedule E-2 was first submitted (under the designation of Wholesale Power Rate Schedule E-1) as part of proposed revisions of rate schedules and general rate schedule provisions, but upon objections by the Superintendent of Light Division, Department of Public Utilities, City of Tacoma, Washington, and the Superintendent, Department of Lighting, City of Seattle, Washington, to certain of such general rate schedule provisions and administrative interpretations thereof by the Bonneville Power Administrator, Schedule E-2 was separately submitted with the request that when the proposed revisions of general rate schedule provisions are approved,

they should be approved for use therewith.

(c) Meanwhile, the aforementioned representatives of the Cities of Tacoma and Seattle advised that they have no objection to approval of Schedule E-2, *Provided*, That any changes later effected in the general rate schedule provisions and administrative interpretations thereof are applied retroactively to Schedule E-2.

(d) Consideration of the matters presented by the aforesaid objections and the response thereto by the Bonneville Power Administrator has not been completed, but need not delay action on Schedule E-2.

The Commission, having considered Schedule E-2 and the presently available information and data thereon, finds that:

(1) Schedule E-2 represents a further development of the rate structure of the Bonneville Project and should be confirmed and approved by the Commission as hereinafter provided.

(2) Action on the remaining proposed revisions of rate schedules and general rate schedule provisions should await determination of the matters involved in the aforesaid objections of the representatives of the Cities of Tacoma and Seattle and response of the Bonneville Power Administrator.

The Commission orders that:

Effective on and after April 1, 1944, the aforesaid Schedule E-2 (attached hereto and made a part hereof) is confirmed and approved upon the following conditions:

(i) Any proposed revision of general rate schedule provisions now pending, which may hereafter be confirmed and approved by the Commission, shall become applicable to Schedule E-2, as of April 1, 1944.

(ii) Schedule E-2 may be modified from time to time by the Bonneville Power Administrator, subject to confirmation and approval by the Commission, pursuant to the provisions of the Bonneville Act.

(iii) Nothing herein contained shall in any way affect or prejudice any action which may hereafter be taken by the Commission in any matter affecting the Bonneville Project.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

BONNEVILLE POWER ADMINISTRATOR

WHOLESALE POWER RATE SCHEDULE E-2

Availability. This schedule applies to at-site and transmission system firm power delivered to purchasers for resale by purchaser to ultimate consumers and for irrigation and drainage pumping service.

Rate. Power shall be sold under this schedule at the following monthly rate:

Demand Charge: 75¢ net per kilowatt of billing demand.

Energy Charge: First 200 kilowatt-hours per kilowatt of billing demand @ 2 mills net per kilowatt-hour; additional kilowatt-hours @ 1 mill net per kilowatt-hour;

Provided, however, that the number of kilowatt-hours to be billed each month for each separate electric system shall be not less than

90% of the total energy requirements of such system for the month.

Billing demand. The billing demand shall be the highest of the following demands:

(1) The contract demand,
(2) The measured demand for the month, adjusted for power factor.

(3) The highest computed demand during twelve-month period ending with current month. (Note: Applies only when part of the load is supplied from other sources. See Section 7 of the General Rate Schedule Provisions.)

(4) 80% of the highest billing demand during the preceding eleven months exclusive of irrigation and drainage pumping demands.

Developmental period for public bodies and cooperatives. Public bodies and cooperatives purchasing power for a separate distribution system under this rate schedule will be permitted a developmental period for such separate system extending until (1) four years after cessation of present hostilities between United States and Germany, and Japan, or (2) three years after the date service is first rendered to such system by the Administrator, whichever is the later date. Bills for power delivered to each separate system during such developmental period shall not exceed 3.5 mills multiplied by the number of kilowatt-hours billed for the month by the Administrator plus any increase in the demand charge due to power factor adjustment.

Power factor adjustment. The provisions of section 8 of the General Rate Schedule Provisions effective January 1, 1942, shall not apply to this rate schedule. The measured demand, before adjustment for power factor, will be increased 1% for each 1% or major fraction thereof by which the average power factor is less than 0.95 lagging. This adjustment may be waived in whole or in part to the extent that the Administrator determines that a power factor of less than 0.95 would in any particular case be advantageous to the Government. Unless specifically otherwise agreed, the Administrator shall not be obligated to deliver power to the purchaser at any time at a power factor below 0.75. The formula for determining average power factor is as follows:

$$\text{Average Power Factor} = \frac{\text{kilowatt-hours}}{(\text{Kilowatt-hours})^2 + (\text{Reactive kilovolt-ampere-hours})^2}$$

In applying the above formula the meter for measurement of reactive kilovolt-ampere-hours will be ratcheted to prevent reverse registration.

Power for irrigation and drainage pumping service. The rates stated in this schedule shall be applied on a monthly basis to power for irrigation and drainage pumping service, subject to a maximum annual demand charge of \$4.50 per kilowatt of the maximum irrigation and drainage pumping demand during the calendar year. The demand charge will be billed monthly at the rate of 75¢ per kilowatt of billing demand until the maximum annual demand charge has been paid, after which no further demand charges shall apply during the calendar year to demands caused by irrigation and drainage pumping loads. The demands caused by irrigation and drainage pumping shall be metered, if reasonably practicable; where metering is impracticable, such demands shall be estimated from the connected load and method of operation of the pumping equipment on the basis of suitable field tests.

Notwithstanding any other provisions of this schedule, the Administrator may include in contracts with customers served with ir-

rigation and drainage pumping power a provision requiring a higher minimum charge based on load factor. At the end of the irrigation season, or the calendar year for drainage pumping customers, the customers shall be billed for the amount by which the total previous billings for the year fail to equal the required minimum annual charge.

Irrigation and drainage pumping power will be available on a firm power basis from April to September, inclusive, and for the balance of the year may be interrupted at the discretion of the Administrator for periods of not to exceed four hours in any one day. The Administrator will designate in advance the hours of the day in which service to purchasers of irrigation and drainage pumping power is subject to interruption, and will give such advance notice of interruption as is practicable. The amount of irrigation and drainage pumping power which will be contracted will be limited to the amount of such power, which, in the judgment of the Administrator, will be available from the seasonal reduction in the Government's monthly system peak demands for firm power during the months of April to September, inclusive.

Change to kilowatt-year rate schedule. Upon written application to the Administrator, any purchaser who has contracted for service under this rate schedule may change, under an appropriate new contract for the remainder of the original contract term, to the kilowatt-year schedule which is applicable.

General provisions. Sales of power under this schedule shall be subject to the provisions of the Bonneville Act and the General Rate Schedule Provisions, except as to the applicability of section 8 of the General Rate Schedule Provisions effective January 1, 1942, as set forth herein under the heading Power Factor Adjustment.

PAUL J. RAVER,
Bonneville Power Administrator.

Confirmed and approved by the Federal Power Commission by order entered March 28, 1944, and subject to the conditions therein specified, said rate schedule to be effective on and after April 1, 1944.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4524; Filed, March 31, 1944;
9:48 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket Nos. FDC 12, 12 and 29, 29 (a)]

CREAM CHEESE, NEUFCHATEL CHEESE, COTTAGE CHEESE AND CREAMED COTTAGE CHEESE

REJECTION OF PROPOSED ORDER

Cream cheese, Neufchatel cheese, cottage cheese and creamed cottage cheese: Order denying proposal to amend definitions and standards of identity so as to permit the use of sodium and calcium propionate as optional ingredients.

By virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act [secs. 401, 701; 52 Stat. 1046, 1055; 21 U. S. C. 341, 371]; upon

the basis of the evidence of record in the above-entitled hearings duly held pursuant to notice issued respectively on August 18, 1939 (4 F.R. 3683), January 6, 1941 (6 F.R. 679), and January 16, 1943 (8 F.R. 890); and upon consideration of the exceptions filed to the proposed order issued by the Acting Administrator on October 14, 1943 (8 F.R. 14226), the following order is hereby made:

Findings of Fact

1. Soft uncured cheeses appeal to consumers because of their distinctive flavors and texture, as well as their food values. Like other fresh dairy products, soft uncured cheeses are highly perishable since they are not hermetically packaged and sterilized and are good media for the growth of microorganisms. Their desirable characteristics are materially impaired by the development of microorganisms they contain. In their commercial production and distribution constant care must be taken to protect them from contamination and to provide adequate refrigeration to retard the development of such organisms. Consumers expect soft uncured cheeses to be reasonably fresh when purchased. t

2. Soft uncured cheeses begin to deteriorate as soon as they are made due to the action of microorganisms and to other causes. Deterioration progresses gradually until the characteristics of freshness are lost. Soon thereafter the products become spoiled and unacceptable to consumers. The rate of deterioration depends primarily upon the number and kinds of microorganisms present, the manner of packaging and the temperature under which the products are held.

3. Types of organisms causing spoilage in such cheeses are yeasts, bacteria, molds and certain organisms (Oospore) generally classified as molds and sometimes considered as intermediate between yeasts and molds. The number and types of viable organisms remaining in the finished product depend on the microbial flora of the starting mix, the efficacy of the pasteurizing processes to which it is subjected, the character of subsequent heat treatment and the degree of care taken to prevent contamination during manufacture and packaging. The number of viable organisms resulting from such contamination depends largely on the degree of cleanliness and sanitation maintained in the plants where the products are made and packaged.

4. In making cold pack cream and neufchatel cheeses, the coagulated mix is usually heated to a point where a substantial proportion of the organisms is killed, although the heating is not sufficient to destroy all organisms. When the hot pack method is employed the curd is given an additional heating which reduces the number of viable organisms to a point much below that of the cold pack. The efficacy of the treatment depends on the temperature and time of

heating. In making cottage cheese and creamed cottage cheese, the heat treatment of the coagulated mix is not sufficient to effect a material reduction in the number of viable organisms present and these cheeses contain large numbers of viable bacteria, mostly lactic acid forming organisms from the starter used.

5. Microorganisms which contaminate and spoil soft uncured cheeses come from many sources. Some survive pasteurization of the starting mix. Starter organisms may survive the manufacturing processes and cause spoilage, particularly in cottage cheese and creamed cottage cheese. Some spoilage organisms, especially yeasts and *Oospora*, come from dirty and improperly maintained equipment with which the cheeses come in contact. Air borne organisms, particularly mold spores, may fall on the cheeses or on the surface of the equipment. *Oospora* is seldom, if ever, air borne.

6. A supply of air is necessary for the growth of mold and *Oospora*. Space in loosely packaged soft uncured cheeses may supply sufficient air to promote growth. Air is not necessary for the growth of most bacteria and yeasts and these organisms develop continuously in the cheeses. Yeasts are usually the cause of spoilage of cream and *neufchatel* cheeses and bacteria of cottage and creamed cottage cheeses. Visible mold or *Oospora* seldom develop in such cheeses until spoilage from yeasts or bacteria has occurred if they are produced under sanitary conditions and properly packaged and refrigerated, although hot pack cream and *neufchatel* cheeses in which the final heating has destroyed spoilage organisms may spoil from mold growth alone if the cheese is recontaminated during or after packaging.

7. Traffic in soft uncured cheeses is characterized by rapid turnover of stocks. Manufacturers hold and ship them under refrigeration, package them tightly and make frequent deliveries to distributors. The air in well conducted and well maintained cheese plants carries but few molds and fewer yeasts. There is no need in the manufacturing and packaging processes for exposure of such cheeses to air for lengths of time which result in a material degree of contamination. The care taken to maintain cleanliness and otherwise to avoid contamination varies widely in different plants making soft uncured cheese. A recent investigation of 12 representative cream cheese plants showed that two were definitely unclean. Manufacturers are familiar with or can discover sources of abnormal contamination and can eliminate them by applying accepted methods of sanitation.

8. Distributors know that soft uncured cheeses are perishable foods and handle them as such. Retailers receive frequent deliveries, limit their orders to quantities they expect to sell between deliveries, keep such cheeses refrigerated and hold them ordinarily two or three days and seldom more than a week. Under such conditions, spoilage seldom occurs. Retailers usually keep such cheeses covered and handle them carefully. When portions of large packages are sold, contam-

ination may occur but not to a significant extent when sanitary procedures are observed.

9. Consumers know that soft uncured cheeses are perishable. Ordinarily, they buy such cheeses in small quantities and do not expect to keep them more than a few days. While such cheeses are kept in the home they are usually refrigerated. When consumers open packages of such cheeses, further contamination is likely to occur.

10. Soft uncured cheeses held under refrigeration seldom develop visible mold in less than about two weeks, even with surface exposed to air and with heavier mold contamination than is usually found in such cheeses. Spoilage from mold or *Oospora* alone is not an important problem to manufacturers who operate under clean and sanitary conditions and package and refrigerate their products properly. The average life of cold pack cream and *neufchatel* cheeses manufactured and handled under reasonably good sanitary conditions is about two to three weeks; that of hot pack cream and *neufchatel* cheeses is somewhat longer, and that of cottage and creamed cottage cheeses is considerably less.

11. In 1938 a manufacturer of chemicals began marketing sodium and calcium propionates, produced by a method of chemical synthesis, for use in soft uncured cheeses to retard the development of mold. Prior to 1938 no preservative was used in soft uncured cheeses made in the United States. Since that time several manufacturers have used propionates, although most of the cream and *neufchatel* cheeses are made without propionates and only a small proportion of cottage and creamed cottage cheeses are made with propionates.

12. The quantity of propionates recommended by the manufacturer of these chemicals is 0.15 percent for cream and *neufchatel* cheeses and 0.2 percent for cottage and creamed cottage cheeses. However, some producers of such cheeses use much lower concentrations. When used in concentrations of 0.05 percent propionates are much less effective against molds and yeasts than when used in the recommended amounts.

13. The extent to which propionates retard the growth of various spoilage organisms in soft uncured cheeses has not been fully determined. In the concentrations recommended by the manufacturer, propionates retard the development of most, if not all, types of mold found in soft uncured cheeses. In such concentrations propionates also retard the development of some types of yeasts which are capable of spoiling such cheeses. Some types of yeast are not materially affected but the evidence does not show whether these types are capable of spoiling such cheeses. Propionates in such concentrations have little effect on lactic acid forming bacteria in such cheeses. The growth of some types of bacteria is retarded but the evidence does not show whether these types are capable of spoiling such cheeses. Propionates in the recommended concentrations have little, if any, effect on *Oospora*. The retarding effect of propionates in

such concentrations on the development of molds and yeasts in such cheeses is substantial irrespective of whether the number of such organisms is about the average of what ordinarily occurs or is many times greater than the average.

14. Sodium or calcium propionates in the concentrations recommended by the manufacturer for use in soft uncured cheeses impart an undesirable flavor to such cheeses and have been found at times to affect adversely the texture or body of hot pack cheeses.

15. Soft uncured cheeses commonly spoil from other causes before visible mold appears and when visible mold precedes actual spoilage it is only by a very short period of time. Consumers regard visible mold as an indication of inferiority or lack of freshness. Under conditions prevailing in the marketing of such products consumers have no other means of determining the age of such cheeses or the degree of deterioration due to the development of spoilage organisms, or how long they can be expected to keep in the home.

16. Of the twelve cream cheese plants mentioned in Finding 7 the two unclean plants and three others were using propionates. One of the three others was using heavily contaminated drain racks; in another, prolonged exposure to air occurred during hand packaging; in the third the mold count of the cheeses was substantially higher than is usual, although the source of the contamination was not found in the single visit made to the plant.

17. Soft uncured cheeses can be and are manufactured and distributed under conditions in which there is no need for or advantage in the use of calcium and sodium propionates. Under present conditions of production and distribution, such cheeses can and do reach consumers in a reasonably fresh state.

18. The evidence fails to disclose to what extent loss is suffered by consumers because of development of yeasts or visible mold in soft uncured cheeses, nor does it show that the use of propionates increases the time such cheeses remain unspoiled after consumer purchase.

19. After the use of chemical preservatives in food began legislative and administrative policy has been to prohibit or regulate their use because, among other reasons, such use tends to encourage careless, lax and insanitary methods of production, distribution and marketing, and the cloaking or masking of inferiority. Sodium and calcium propionates are chemical preservatives, the use of which delays the appearance of the results of improper and insanitary methods of production, distribution and marketing of soft uncured cheeses, and cloaks or masks inferiority in such cheeses.

Conclusions

On the basis of the foregoing findings of fact, it is concluded that:

(a) By retarding the development of yeast and mold on soft uncured cheeses, the use of propionates tends to result in the relaxation of precautions against contamination and spoilage during manufacture, packaging and distribution.

(b) Flavors are important characteristics of such cheeses which appeal to consumers and such flavors are adversely affected by adding to such cheeses propionates in the recommended concentrations.

(c) By retarding the development of visible mold on such cheeses the use of propionates destroys an index of inferiority or lack of freshness or keeping qualities, and tends to promote the sale of older cheeses and cheeses about to spoil.

(d) The record does not show that the use of propionates in such cheeses results in any advantage to consumers.

(e) It would not promote honesty and fair dealing in the interest of consumers to provide for the use of propionates as optional ingredients of such cheeses.

Order

Wherefore, *It is ordered*, That the regulations promulgated December 22, 1942 (7 F.R. 10755, 10835), fixing and establishing definitions and standards of identity for cream cheese, neufchatel cheese, cottage cheese, and creamed cottage cheese be not amended to provide for calcium propionate and sodium propionate as optional ingredients of such cheeses.

(Secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371)

This order shall become effective on the ninetieth day after its publication in the **FEDERAL REGISTER**.

Dated: March 29, 1944.

[SEAL] WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 44-4553; Filed, March 31, 1944;
11:32 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4875]

L. & C. HARDTMUTH, INC. AND KOH-I-NOOR
PENCIL COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1944.

In the matter of L. & C. Hardtmuth, Inc., a corporation; Koh-I-Noor Pencil Company, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 11, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4542; Filed, March 31, 1944;
11:09 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 148]

RECONSIGNMENT OF CABBAGE AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 24 or 25, 1944, by Plowaty Bergart Company of car PFE 93566, cabbage, now on the Alton Railroad to Produce Exchange, Rockford, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4452; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 70-A, Special Permit 149]

RECONSIGNMENT OF ORANGES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, March 24, 1944, by E. H. Robinson Company of car PFE 27338, oranges, now on the Rock Island Lines, to Nash-Finch Company at Huron, South Dakota. (Gr. Nor.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4453; Filed, March 30, 1944;
11:14 a. m.]

[S. O. 70-A; Special Permit 150]

RECONSIGNMENT OF POTATOES AT EVANSVILLE, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Evansville, Indiana, March 24 or 25, 1944, by E. H. Anderson Company of car WFE 65526, potatoes, now on the Chicago & Eastern Illinois Railroad, to Dalesville, Alabama.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4454; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 70-A, Special Permit 151]

RECONSIGNMENT OF SEED POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 25, 1944, by Bacon Brothers of car FGE 35252, certified seed potatoes, now on

the Wood Street Terminal, to Piper Grocery, Vincennes, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4455; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 70-A, Special Permit 152]

RECONSIGNMENT OF BROCCOLI AND MIXED VEGETABLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 25, 1944, by La Mantia Brothers Arrigo Company of car SFRD 23392, broccoli and mixed vegetables, now on the Wabash Railroad to Shippers Service Company, Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4456; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 164, Amended General Permit 11]

REFRIGERATION OF ORANGES IN FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to refrigerator cars loaded with straight carloads of temple, king or clementine oranges, originating at any point or points in the State of Florida, moving to destinations in official and western classification territories and western Canada, provided the waybills make reference to this permit.

This permit shall become effective at 12:01 a. m., April 1, 1944, and shall expire at 12:01 a. m., April 25, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4457; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 178, Corr. Special Permit 86]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 74164 with shortening by Durkee's Famous Foods at Berkeley, California, and the movement of that car so loaded from that point March 21, 1944, to Seattle, Washington, with a stop-over at Portland, Oregon, for partial unloading. (S.P.-N.P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4458; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 178, Special Permit 94]

LOADING OF LARD AT OTTUMWA, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first order-

ing paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with lard by John Morrell Company at Ottumwa, Iowa, and the movement under refrigeration of the one car so loaded from that point March 27, 1944, to Houston, Texas, for export to Cuba. (C. M. St. P. & P.-M. K. T.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4459; Filed, March 30, 1944;
11:14 a. m.]

[S.O. 178, Special Permit 95]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese in glass and bulk by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point March 27, 1944, to Denison, Texas. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4460; Filed, March 30, 1944;
11:15 a. m.]

[S.O. 187, Special Permit 3]

TRANSPORTATION OF POTATOES AT AULT,
COLO.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of car PFE 97595, loaded with No. 3 Triumph potatoes, shipped by Mathews Produce Company, from Ault, Colorado, March 25, 1944, consigned to Warehouse Market, Tulsa, Oklahoma. (U.P.-Frisco.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4461; Filed, March 30, 1944;
11:15 a. m.]

[S.O. 192]

UNLOADING OF COAL AT VAN NEST, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of March, A. D. 1944.

It appearing, that one (1) car, PMCK&Y 62831, containing bituminous coal billed to the Master Coal Company, Van Nest, New York, on The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, That:

Coal at Van Nest, New York, billed to the Master Coal Company to be unloaded. The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees), a common carrier by railroad subject to the Interstate Commerce Act, its agents or employees, shall unload forthwith one (1) car, PMCK&Y 62831, containing bituminous coal on hand on its railroad at Van Nest, New York, billed to the Master Coal Company. (40 Stat. 101, sec. 402. 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction

shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4462; Filed, March 30, 1944;
11:14 a. m.]

MARITIME WAR EMERGENCY BOARD.

[Decision 2 B]

BONUS

ANNOUNCEMENT OF DECISION

The Maritime War Emergency Board today announces this decision with respect to bonus.

ARTICLE I. Voyage bonus, area bonus and vessel attack bonus required. Voyage bonus, area bonus, and vessel attack bonus shall be paid under this decision to licensed and unlicensed personnel employed as regular crew members on United States flag vessels of the American Merchant Marine.

ART. II. Voyage bonus classifications. *Classification I, 100% Bonus, \$100 Monthly Minimum.* Voyages or portions of voyages while within the following waters:

A. European Area. All waters within the area bounded on the east and south by 60° east longitude to its intersection with the north coast of Russia and thence following the coast of continental Europe to its intersection with 9° west longitude on the north coast of Spain; and bounded on the west by 9° west longitude.

B. Mediterranean Area. All waters within the Mediterranean Sea east of a line from Cape Spartel to Cape Trafalgar, including the Adriatic Sea, the Aegean Sea, the Black Sea, the Sea of Azov and the Sea of Marmora, the Dardanelles and the Bosphorus.

C. Pacific Area. All waters within the area bounded on the north by 60° north latitude; on the east by the 180th meridian; on the south by 13° south latitude; and on the west by 90° east longitude and the coast of continental Asia.

Classification II, 66 2/3% Bonus, \$80 Monthly Minimum. Voyages or portions of voyages while within all waters not included in Classifications I, III or IV.

Classification III, 25% Bonus, \$30 Monthly Minimum. Voyages or portions of voyages, not included in Classification IV, while within waters of the Pacific Ocean east of 136° west longitude and west of a line drawn due south from Cape Horn.

Classification IV, no bonus. Voyages or portions of voyages while within inland waters of the Western Hemisphere. For this purpose the Western Hemisphere shall include the Hawaiian Islands, Bermuda, Greenland, the east coast of Central and South America in the Caribbean Area and the West Indies, but shall not include Iceland, Alaska (west of 136° west longitude) and the Aleutian Islands.

The following waters are classified as inland waters of the Western Hemisphere:

A. The inland passage to Alaska defined as follows:

i. Waters to the eastward of a line drawn from Cape Flattery, Washington, to Pachena Point Lighthouse, Vancouver Island, and all waters to the northward and eastward of Vancouver Island.

ii. Waters to the eastward of a line drawn from Cape Scott, Vancouver Island, to Cape St. James, Queen Charlotte Islands, including the waters of Queen Charlotte Islands (Hecate Strait).

iii. Waters to the eastward of a line drawn from Cape Know, Queen Charlotte Islands, to Cape Muzon, Dall Island (Dixon Entrance).

iv. Waters to the eastward of a coastal line drawn from Cape Muzon to Cape Bartolome and thence to Cape Ommaney, and Cape Edgecumbe at the entrance to Sitka Sound.

v. Waters to the eastward of a coastal line drawn from Cape Edgecumbe to Cape Spencer, the entrance to Cross Sound.

B. Hudson Bay, Hudson Strait, Ungava Bay and Frobisher Bay, west of a line from North Foreland on Loks Island to Black Bluff on Resolution Island and west of a line drawn from Acadia Cove on Resolution Island to Cape Chidley.

C. Puget Sound east of a line drawn in the Strait of Juan de Fuca from Cape Flattery, Washington to Pachena Point, Vancouver Island.

D. The St. Lawrence River west of Father Point.

E. The Panama Canal.

F. The Strait of Magellan, defined as follows:

(a) **Atlantic boundary line.** A line running in a southerly and easterly direction from Direction Hill (Cerro Direccion) on the northern shore of the First Narrows to Anegada Point located on the southern shore of the First Narrows:

(b) **Pacific boundary line.** A line running in a northerly and easterly direction from Felix Bay Light Tower located on an island in Felix Bay off the south-westerly shore of Sea Reach (Paso Del Mar), to the Fairway Island Light Pyramid located on the west side of the largest Fairway Island.

G. The Great Lakes; and inland waters, harbors, rivers, sounds, bays and gulfs of the United States as defined in "Rules & Regulations, series No. 16, Bureau of Marine Inspection & Navigation, Department of Commerce, Pilot Rules for certain inland waters of the Atlantic and Pacific Coasts and the Coast of the Gulf of Mexico" dated May 28, 1940.

H. Ports or other inland waters of the Western Hemisphere, either as specifically defined in this Classification or as

may be defined from time to time by the Maritime War Emergency Board.

ART. III. *Amount of voyage bonus.* Voyage bonus shall be based on transit of areas of risk and computed as follows:

A. Voyage bonus shall be computed on basic and special emergency wages, excluding overtime, penalty time and other extra compensation.

B. Voyage bonus equal to 100% of wages shall be paid for voyages in Classification I, but not in any case less than \$100 per month or a proportionate sum for a part thereof.

C. Voyage bonus equal to 66 2/3% of wages shall be paid for voyages or portions of voyages in Classification II, but not in any case less than \$80 per month or a proportionate sum for a part thereof.

D. Voyage bonus equal to 25% of wages shall be paid for voyages or portions of voyages in Classification III, but not in any case less than \$30 per month or a proportionate sum for a part thereof.

E. No voyage bonus shall be paid for voyages or portions of voyages in Classification IV.

ART. IV. *Time when voyage bonus payments start and stop.* A. Voyage bonus payments shall become effective at midnight prior to the day during which the vessel departs from waters included in Classification IV and enters the high seas.

B. Voyage bonus payments shall cease at midnight of the day during which the vessel departs from the high seas and enters waters included in Classification IV.

C. Changes in voyage bonus rates between Classifications I, II and III during a voyage or part of a voyage while on the high seas are effective as of midnight prior to the day during which the vessel crosses the line demarking the new Classification.

ART. V. *Area and vessel attack bonus—*

A. *Area bonus.* In addition to voyage bonus payable under Article II, III and IV, area bonus at the rate of \$5.00 per day shall be payable to each crew member of a vessel within any of the areas specified in Classification I of Article II, including periods during which the vessel is in port or at an anchorage. Area bonus shall commence as of midnight prior to the day during which the vessel enters the area and shall cease at midnight of the day during which the vessel departs from the area.

B. *Vessel attack bonus.* In addition to voyage and area bonus, vessel attack bonus of \$125 shall be payable to each crew member of a vessel (1) which is destroyed or substantially damaged as a result of enemy attack or (2) on which any person is killed or seriously injured as a result of enemy attack. Vessel attack bonus shall be payable whether the vessel is within or without any of the areas specified in Paragraph A above, and whether the vessel is in a port or at an anchorage or on the high seas. Only one vessel attack bonus shall be payable in the course of any passage of the vessel between ports or anchorages. A passage between ports or anchorages shall be deemed to commence at the time the

vessel departs from a port or anchorage and to end at the time the vessel departs from its next port or anchorage. Shifts in berth shall not be deemed passages between anchorages.

ART. VI. *Periods during which voyage, area, and vessel attack bonus payable—*

A. *During ordinary course of voyage.* Voyage, area and vessel attack bonus shall be payable to a regular crew member of the vessel on which he is employed during the course of his employment aboard such vessel.

B. *When bonus payable after separation from vessel and during repatriation.* (1) If a crew member is separated from his vessel as the result of a peril described in Article 3, as amended, of the form of insurance policy attached to Decision 1A, bonus continues payable to such crew member until midnight of the day on which he reaches a port.

(2) If a crew member is repatriated to the United States after separation from his vessel as a result of either:

(a) A peril referred to in paragraph (1) above, or

(b) Illness or injury incurred in the service of his vessel and not occasioned by his wilful misconduct,

bonus shall be payable to such crew member during his repatriation from midnight of the day prior to which the vessel or other conveyance on which he is being repatriated departs until midnight of the day of arrival of such vessel or other conveyance at a continental United States port.

C. *When bonus not payable after separation from vessel.* (1) Bonus shall not be payable while a crew member is on land after separation from his vessel.

(2) Bonus shall not be payable during the period that a crew member is detained either by capture by an enemy of the United States or by internment.

(3) Bonus shall not be payable to a crew member;

(a) After voluntary termination of his employment aboard his vessel for a reason other than one set forth in paragraph B (2),

(b) After desertion or discharge from his employment aboard his vessel,

(c) After a crew member accepts employment on another vessel for a purpose other than to be repatriated,

(d) After a crew member refuses without good cause to be repatriated to the United States.

(4) A crew member repatriated after occurrence of an event specified in subparagraph (3) of this paragraph C is not entitled to bonus from his original vessel during repatriation. If such crew member signs on as a replacement in the crew of the repatriating vessel, he shall be entitled to bonus from the repatriating vessel. If such crew member signs on as a workaway on the repatriating vessel, he shall not be entitled to bonus from the repatriating vessel.

D. *No double bonus.* If a crew member signs on the vessel on which he is being repatriated, either as a crew member or workaway on such repatriating vessel, he shall not be entitled to bonus from such vessel in addition to bonus

payable under paragraph B of this Article VI.

E. *Death of a crew member.* Bonus shall not be payable for any period after death of a crew member.

ART. VII. *Effective date.* This decision shall be effective on and after 12:01 a. m. of April 1, 1944. The provisions of this decision shall not be retroactive.

ART. VIII. *Repeal.* Decision 2A, and all Amendments thereto, previously issued by the Maritime War Emergency Board are repealed as of the effective date of this decision, except as to any voyage, area and port attack bonus payable for any period prior to 12:01 a. m. of April 1, 1944.

Dated: March 14, 1944.

[SEAL] MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY,
Chairman.
JOHN R. STEELMAN.
FRANK P. GRAHAM.

[F. R. Doc. 44-4470; Filed, March 30, 1944;
11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

CERTIFICATE OF APPOINTMENT

DEPUTY ALIEN PROPERTY CUSTODIAN

Know all men by these presents: That I, James E. Markham, Alien Property Custodian, pursuant to the authority vested in me by the Trading with the Enemy Act, as amended, and by Executive Orders issued thereunder, hereby designate and appoint Francis J. McNamara as Deputy Alien Property Custodian, and do hereby delegate to, confer upon and vest in the said Deputy Alien Property Custodian, in the absence of the Alien Property Custodian or in the event of his inability to act, to the extent permitted by law, all of the powers and authority granted and delegated to, conferred upon and vested in, or which may be granted and delegated to, conferred upon and vested in the Alien Property Custodian by the laws of the United States of America, orders of the President of the United States, or regulations made or issued in pursuance of said laws or orders, including, without being limited to, the power and authority to appoint and fix the compensation of attorneys, investigators, accountants, clerks and such other employees as may be deemed to be necessary for the due and proper administration of the provisions of said laws, orders of the President, and regulations, and the power to execute proxies in my behalf with the same force and effect as if they were executed by myself upon any shares of stock in any corporation which are held by, or stand in the name of, the Alien Property Custodian or which the Alien Property Custodian has power to vote by virtue of his office; and I do hereby further delegate to, confer upon and vest in the said Deputy Alien Property Custodian full authority at all times to exercise any and all of the powers granted and delegated

to, conferred upon and vested in, or which may be granted and delegated to, conferred upon and vested in the Alien Property Custodian by the laws of the United States, orders of the President, and regulations made or issued pursuant to said laws or orders, to the extent that such authority may be lawfully delegated by the Alien Property Custodian.

In testimony whereof, I have hereunto set my hand and official seal this twenty-eighth day of March 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4528; Filed, March 31, 1944;
11:00 a. m.]

[Vesting Order 3346]

LOUIS C. BUECHNER

In re: Estate of Louis C. Buechner, deceased; File D-28-3632; E. T. sec. 5881.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinabove described are property which is in the process of administration by William A. Buechner, 107 Gilbert Street, Mobile, Alabama, Administrator d. b. n., acting under the judicial supervision of the Probate Court for the County of Allegan, State of Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lulu Welcker, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lulu Welcker in and to the estate of Louis C. Buechner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4529; Filed, March 31, 1944;
10:56 a. m.]

[Vesting Order 3348]

WILLIAM R. DELECKER

In re: Estate of William R. Delecker, deceased; File D-28-7965; E. T. sec. 8922.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elsie Weber, 740 Tenth Avenue, New York City, Administratrix, acting under the judicial supervision of the Surrogate's Court, County of Kings, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

William Delecker, Germany.
Kurt Delecker, Germany.
Ella Delecker, Germany.
Liesolott Delecker, Germany.
Dr. Lulu Gloede, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of William Delecker, Kurt Delecker, Ella Delecker, Liesolott Delecker and Dr. Lulu Gloede, and each of them, in and to the estate of William R. Delecker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4530; Filed, March 31, 1944;
10:56 a. m.]

[Vesting Order 3349]

CHARLES FOULON

In re: Trust under the will of Charles Foulon, deceased; File D-28-1813; E. T. sec. 1237.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Camden Trust Company, Substituted Trustee, acting under the judicial supervision of the Camden County Orphans' Court, County of Camden, State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Wilhelmina Simbach, Germany.
Alvina Beyer, also known as Alvinia Beyer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelmina Simbach and Alvina Beyer, also known as Alvinia Beyer, and each of them, in and to the Trust estate created under the Last Will and Testament of Charles Foulon, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

FEDERAL REGISTER, Saturday, April 1, 1944

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4531; Filed, March 31, 1944;
10:56 a. m.]

[Vesting Order 3352]

OTTO OBERMEYER

In re: Estate of Otto Obermeyer, deceased; File D-28-6657; E. T. sec. 4928.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by The National City Bank of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann Wetzel Washington Otto Obermeyer, Germany.

Martha Obermeyer, also known as Minna Martha Obermeyer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Johann Wetzel Washington Otto Obermeyer and Martha Obermeyer, also known as Minna Martha Obermeyer, and each of them, together with any and all additions of principal and income

thereto, in the possession of The National City Bank of New York as depositary pursuant to a decree of the Surrogate's Court of the County of New York, New York, dated October 5, 1926 and entered in a proceeding for the judicial settlement of the Account of Proceedings of Francis R. Appleton, Jr., as Ancillary Administrator, c. t. a., of the Last Will and Testament of Otto Obermeyer, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4532; Filed, March 31, 1944;
10:56 a. m.]

[Vesting Order 3353]

WILLIAM SCHRAMM

In re: Trust under Will of William Schramm, deceased; File D-28-6589; E. T. sec. 5174.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by A. H. Schefer of 786 Fifth Avenue, New York, New York, Trustee, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of Suffolk; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Irma Grohe, Germany.

The issue of Irma Grohe, whose names are unknown, Germany.

Nora Mohr, Germany.

The issue of Nora Mohr, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the na-

tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property, and interests:

All right, title, interest and claim of any kind or character whatsoever of Irma Grohe and Nora Mohr and their issue whose names are unknown, and each of them, in and to the Trust established under the Will of William Schramm, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4533; Filed, March 31, 1944;
10:57 a. m.]

[Vesting Order 3354]

ADOLPH SCHAUS

In re: Trust under Will of Adolph Schaus, also known as Philip August Heinrich Friedrich Ludwig Adolph Schaus, deceased; File D-17-212; E. T. sec. 5095.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by City Bank Farmers Trust Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, County of Richmond, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Hermine Bierling, Germany.
The issue of Anna Hermine Bierling whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Hermine Bierling, and her issue, whose names are unknown, and each of them, in and to the trust created under the Last Will and Testament of Adolph Schaus, also known as Philip August Heinrich Friedrich Ludwig Adolph Schaus, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 44-4534; Filed, March 31, 1944;
10:57 a. m.]

[Vesting Order 3355]

DR. H M. SCHUGT

In re: Estate of Dr. H. M. Schugt, deceased; File D-28-6180; E. T. sec. 7589.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinabove described are property which is in the process of administration by Edmund H.

Krohn, Administrator, acting under the judicial supervision of the County Court of El Paso County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henry Schugt, Germany.
Paul Schugt, Germany.
Gertrude Schenk, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Henry Schugt, Paul Schugt and Gertrude Schenk, and each of them, in and to the estate of Dr. H. M. Schugt, deceased, and

All that real property, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in El Paso County, State of Texas, and particularly described as follows:

Lots 14 and 15, Block 2, according to Map No. 2 of Satterthwaite's Addition to the City of El Paso, in El Paso County, Texas,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 44-4535; Filed, March 31, 1944;
10:57 a. m.]

[Vesting Order 3357]

KATIE VOIGT

In re: Estate of Katie Voigt, deceased; File No. D-28-1606; E. T. sec. 445.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Surrogate's Court of Essex County, Newark, New Jersey, as depositary, acting under the judicial supervision of the Essex County Surrogate's Court, Essex County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Katie Simon, nee Goeselt, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katie Simon, nee Goeselt, in and to the Estate of Katie Voigt, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 44-4536; Filed, March 31, 1944;
10:57 a. m.]

FEDERAL REGISTER, Saturday, April 1, 1944

[Vesting Order 3362]

HUBERT FRANCIS VON GORTZ

In re: Estate of Hubert Francis Von Gortz, also known as Hubert V. Gortz, also known as Frank Gortz, deceased; File: D-28-8321; E. T. sec. 9590 (H-125).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bishop Trust Company, Ltd., Executor, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Hungary, namely,

Nationals and Last Known Address

Helmut von Gortz, Germany.
Pitzie Marton, Hungary.

Heirs, devisees or personal representatives, names unknown, of Pitzie Marton, Germany.
Alajos Marton, Hungary.

Arthur von Gortz, Germany.

And determining that—

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certifications, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helmut von Gortz, Pitzie Marton, Heirs, devisees or personal representatives, names unknown, of Pitzie Marton, Alajos Marton, and Arthur von Gortz, and each of them, in and to the Estate of Hubert Francis Von Gortz, also known as Hubert V. Gortz, also known as Frank Gortz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as

may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4537; Filed, March 31, 1944;
10:57 a. m.]

[Vesting Order 3364]

ADOLPH PROPPER

In re: Estate of Adolph Propper, deceased; File D-34-718; E. T. sec. 9222.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Leo Roth, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Simon Propper, Hungary.
Mrs. Lipot Weisz, Hungary.
Sam V. Propper, Hungary.
Moric Propper, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Simon Propper, Mrs. Lipot Weisz, Sam V. Propper, and Moric Propper, and each of them, in and to the Estate of Adolph Propper, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4538; Filed, March 31, 1944;
10:57 a. m.]

[Vesting Order 3367]

ERMINIO GAMBERI

In re: Estate of Erminio Gamberi, sometimes known as E. Gamberi, deceased; File: D-38-1058; E. T. sec. 3057.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by California Trust Company, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Caroline Gambari or her issue, Italy.
Mario Gambari or his issue, Italy.
Giovani Gambari or his issue, Italy.
Samuele Gambari or his issue, Italy.
Pepino Gambari or his issue, Italy.
Olga Gambari or her issue, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Caroline Gambari or her issue, Mario Gambari or his issue, Giovani Gambari or his issue, Samuele Gambari or his issue, Pepino Gambari or his issue and Olga Gambari or her issue, and each of them, in and to the Estate of Erminio Gamberi, sometimes known as E. Gamberi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4539; Filed, March 31, 1944;
10:58 a. m.]

[Vesting Order 3229]

HILDE SCHEIBE AND KURT GERBRACHT

In re: Interests in real property and fire insurance policies owned by Hilde Scheibe and Kurt Gerbracht.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation finding:

1. That the last known address of Hilde Scheibe and Kurt Gerbracht is Gifhorn, Germany, and that they are citizens and residents of Germany and nationals of a designated enemy country (Germany);

2. That Hilde Scheibe and Kurt Gerbracht are the owners of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. The undivided $\frac{1}{4}$ th interest, identified as the interest devised to Hilde Scheibe under the terms and provisions of the Last Will and Testament of Ernst W. Gerbracht, deceased, duly admitted to probate in the New Jersey Prerogative Court, City of Trenton, New Jersey, on December 11, 1928, in and to the real property situated in the Borough of Closter, County of Bergen, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. The undivided $\frac{1}{4}$ th interest, identified as the interest devised to Kurt Gerbracht under the terms and provisions of the Last Will and Testament of Ernst W. Gerbracht, deceased, duly admitted to probate in the New Jersey Prerogative Court, City of Trenton, New Jersey, on December 11, 1928, in and to the real property situated in the Borough of Closter, County of Bergen,

State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #3029 issued by the Continental Insurance Co. of 80 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

d. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #2221 issued by the Home Insurance Co. of 59 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

e. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #3038 issued by the Continental Insurance Co. of 80 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

f. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #3031 issued by the Continental Insurance Co. of 80 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

g. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #12567 issued by the Northern Assurance Co. Ltd., of London, covering the premises described in paragraph 3 (a) hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in paragraphs 3-c, 3-d, 3-e, 3-f, 3-g hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in paragraphs 3-a and 3-b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in paragraphs 3-c, 3-d, 3-e, 3-f, 3-g hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land and premises situate, lying and being in the Borough of Closter, County of Bergen and State of New Jersey, more particularly described as follows:

Beginning in the middle of Closter Dock Road where the same is intersected by the northwesterly line of land now or formerly of Herman F. Ahrens, from thence running (1) along the middle of said road north $40^{\circ}16'$ west 472.02 feet; thence (2) still along the middle of said road north $40^{\circ}12'$ west 425.67 feet to the most southerly corner of a tract of land containing 6.09 acres conveyed by Cedar Hill Realty Company, party of the first part herein, to Clara Westlake Moore by deed dated February 1, 1924 and recorded in the Bergen County Clerk's Office in Book 1252 page 396 etc., thence along the line of land so conveyed to Clara Westlake Moore the following three courses, (3) north $52^{\circ}18'$ east 568.55 feet; (4) north $37^{\circ}29'$ west 37.85 feet; (5) north $17^{\circ}46'30''$ east 199.87 feet to the line of land now or formerly of D. S. van Sciver, thence along the line of the last mentioned land the following two courses: (6) south $60^{\circ}38'30''$ east 33.52 feet; (7) south $53^{\circ}29'30''$ east 125.35 to the most westerly corner of land belonging to the Estate of Dwight Moore; thence (8) along the line of the land of said estate, south $40^{\circ}11'$ east 692.20 feet to the line of lands now or formerly of said Herman F. Ahrens, and thence (9) along said last mentioned line south $37^{\circ}18'$ west 797.55 feet to the point or place of beginning. Containing 14.659 acres.

All those certain tracts or parcels of land and premises situate, lying and being in the Borough of Closter, County of Bergen and State of New Jersey, more particularly described as follows:

First tract: Beginning at a point in the center line of Homans Avenue where the same is intersected by the westerly line of a tract of land conveyed by Emma J. Trimble and George R. Trimble, her husband, to William Gerard Vermilye by deed dated March 30, 1908 and recorded in the Bergen County Clerk's Office in Book 688 of Deeds on page 547, etc.; from thence running (1) along lands so conveyed to Vermilye south $50^{\circ}7'$ west 712.22 feet to the line of lands now or formerly of Herman F. Ahrens; thence (2) along the land of said Ahrens north $39^{\circ}40'$ west 103.25 feet to the most easterly corner of land belonging to the Cedar Hill Realty Company; thence (3) along land of said com-

pany, north 40°11' west 692.20 feet to lands now or formerly of D. S. van Sciver; thence (4) along said van Sciver's land and line of lands now or formerly of Henry M. Alexander and a line of the second tract herein described, north 49°51' east 716.74 feet to the center of Homans Avenue, and thence (5) along the center of said avenue, south 39°47' east 798.78 feet to the point or place of beginning. Containing 13.072 acres.

Second tract: Beginning at a point in the southwesterly line of Homans Avenue where the same is intersected by the northwesterly line of the first tract hereinabove described, from thence (1) along the southwesterly line of Homans Avenue north 39°47' west 200 feet to the line of lands now or formerly of Henry M. Alexander; thence (2) along said Alexander's line south 40°51' west 248.73 feet; thence (3) along another line of said Alexander's land south 39°47' east 200 feet to the northwesterly line of the first tract above described, and thence (4) along said line of said tract north 49°51' east 248.73 feet to the point or place of beginning. Containing 1.142 acres.

The above three tracts as described contain 28.873 acres excepting therefrom any portion which may have been taken for the opening or widening of any road or street abutting said lands.

[F. R. Doc. 44-4540; Filed, March 31, 1944; 10:58 a. m.]

[Vesting Order 2707, Amdt.]

EUGINIO AND EVA MARRACCINI

In re: Interest in real property located in Portland, Oregon, contract of sale, bank account and insurance policy owned by Eugenio Marraccini, also known as Eugenio Marraccini, and Eva Marraccini, his wife.

Vesting Order Number 2707, dated December 2, 1943, is hereby amended as follows and not otherwise:

By deleting Exhibit A attached to and by reference made a part of said vesting order and substituting therefor Exhibit A attached hereto and by reference made a part hereof.

All other provisions of said Vesting Order Number 2707 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 29, 1944.

[SEAL] **JAMES E. MARKHAM,**
Alien Property Custodian.

EXHIBIT A

All of that part of Lots 3 and 4 in Block 130 Caruther's Addition to the City of Portland, as laid out by the South Portland Real Estate Association, within the corporate limits of the City of Portland, County of Multnomah and State of Oregon, lying Southwesterly of SW Barbur Boulevard; EXCEPT that part of Lot 3 described as follows: Beginning at a point 14 feet South of the Northwest corner of Lot 3; thence North 14 feet; thence East along the Northerly boundary of said lot, 36.74 feet to what is commonly known as S. W. Barbur Boulevard; thence South along the Westerly boundary of said Boulevard, 10 feet; thence to the point of beginning in the City of Portland, County of Multnomah and State of Oregon.

[F. R. Doc. 44-4541; Filed March 31, 1944; 10:58 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 209]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN OKLAHOMA CITY AND M'CLOUD, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*. That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compli-

ance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Couch Transfer & Storage Co., Inc., Ada, Okla.
2. Luper Transportation Company of Oklahoma, Shawnee, Okla.
3. Walter L. Hayes, doing business as Hayes Truck Line, Luther, Okla.

[F. R. Doc. 44-4523; Filed, March 31, 1944; 9:48 a. m.]

OFFICE OF PRICE ADMINISTRATION.

TOYS AND GAMES

[MPR 188, Order 1444]

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as

¹ Filed as a part of the original document.

amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Purposes of this order.* This order provides a method by which manufacturers of the articles listed in paragraph (b) below may establish maximum prices for their sales when they cannot determine their maximum prices pursuant to §§ 1499.153, 1499.155, 1499.156, or 1499.157, of Maximum Price Regulation No. 188. It supersedes the provisions of § 1499.158 of Maximum Price Regulation No. 188 as to the establishment of maximum prices for the articles listed in paragraph (b), for which applications have been filed with the Office of Price Administration, Washington, D. C., after the effective date of this order. All other sections of Maximum Price Regulation No. 188 shall remain applicable.

(b) *Articles covered by this order.* This order covers only the following articles.

1. Toys and games.

(c) *Maximum prices for sales by manufacturers.* The maximum price for an article covered by this order which cannot be priced under §§ 1499.153, 1499.155, 1499.156, or 1499.157 of Maximum Price Regulation No. 188, or which cannot be priced under §§ 1499.156 or 1499.157 without undue hardship by reason of the application of the formula, shall be a price in line with the level of maximum prices established by Maximum Price Regulation No. 188, approved or set by order of the Office of Price Administration in the manner described in the following paragraph (d) of this order. No person shall offer to sell, sell, or deliver an article the maximum price of which should be established under this order until the manufacturer has fulfilled all the requirements of paragraph (d).

(d) *How maximum price is approved or set—(1) Approval or disapproval of proposed maximum price.* To determine a maximum price under this paragraph, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report containing the following information:

(i) A description in detail of the article being priced (including the manufacturing process by which it is made).

(ii) A statement of the facts which make it necessary to price the article under this order, rather than under §§ 1499.155, 1499.156, or 1499.157 of Maximum Price Regulation No. 188.

(iii) A statement of the proposed maximum price (including terms, allowances, and price differentials for sales to different classes of purchasers).

(iv) A statement of the reasons why the manufacturer believes the proposed prices to be in line with the level of maximum prices established by Maximum Price Regulation No. 188.

(v) A sample of the article to be priced.

(vi) A description in detail of at least two competitive articles, together with the names, addresses, model numbers, or other manufacturer's identifications, and maximum prices to jobbers or dealers if known, of the manufacturers of these articles.

Important note: Competitive articles for which maximum prices have not been

properly established under Maximum Price Regulation No. 188 will be disregarded for the purpose of establishing maximum prices under this order. It will aid the Office of Price Administration to approve or disapprove the manufacturer's proposed maximum prices promptly if samples of the competitive articles are submitted also. In addition, the names, addresses, and selling prices of retail outlets handling the articles will be helpful. If full information is not furnished, it may not be possible for the Office of Price Administration to obtain sufficient information for a decision within twenty days.

(2) *When manufacturer's proposed maximum price is approved.* Upon specific written approval from the Office of Price Administration or twenty days after the mailing of the report, in the absence of notification to the contrary by the Office of Price Administration, the reported price to each class of purchaser shall become approved as the manufacturer's maximum price and the manufacturer may begin to sell, offer to sell, and deliver the article at the price reported.

(3) *Price set by order.* If the reported price is not approved by the Office of Price Administration as being a price in line with the level of maximum prices established by the regulation, or if the manufacturer has not filed the report required above, the maximum price for the article shall be a price set by order of the Office of Price Administration in line with the level of maximum prices established under § 1499.158 of Maximum Price Regulation No. 188 and the manufacturer may not sell, offer to sell, or deliver the article until he has received specific written authorization from the Office of Price Administration to do so.

This order may include maximum prices for other related articles and maximum prices, or methods of determining maximum prices for sellers generally, including purchasers for resale.

(e) *Sales in violation.* If in violation of any provisions of this order a sale, offer to sell, or delivery of an article is made before it has been properly authorized, the maximum price applicable to the sale, offer to sell, or delivery, shall be the maximum price which is properly established subsequently.

(f) Any maximum prices established under this order shall be subject to adjustment by order, not to apply retroactively, by the Office of Price Administration at any time.

(g) This Order No. 1444 may be revoked or amended by the Price Administrator at any time.

This Order No. 1444 shall become effective on the 31st day of March 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4515; Filed, March 30, 1944;
3:53 p. m.]

Regional and District Office Orders.
[Region III Order G-9 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 2 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G-9 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The general description contained in the heading of Part I under Column I of Schedule I in section (c) is amended by the addition of the following phrase "excepting coal from Jubilee Mine Index No. 638 of the Clover-Darby Coal Company" so that the entire heading under said Part I shall read as follows: "High Volatile Bituminous Coal from Producing District No. 8, excepting coal from the Jubilee Mine Index No. 638 of the Clover-Darby Coal Company (Eastern Kentucky and Southwestern West Virginia)".

(b) The general description contained in the heading of Part III under Column I of Schedule I in section (c) is amended by the substitution of the words "(Southwestern West Virginia and Eastern Kentucky)" for the word "(Pocahontas)" so that the entire heading under said Part III shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 8 (Southwestern West Virginia and Eastern Kentucky)".

(c) The general description contained in the heading of Part IV under Column I of Schedule I in section (c) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under said Part IV shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 7 (Southeastern West Virginia and Northwestern Virginia)".

(d) Part V of Schedule I in section (c) is amended to read as follows:

Column I	Column II	Column III
V. Pennsylvania Anthracite: A. Egg, stove, chestnut.....	\$16.55	.....

For all sales of said anthracite coal for the periods February 7, 1944, to and including March 5, 1944, the sum of \$0.45 per ton may be added to the prices listed above.

(e) Paragraph (ii) *Prompt payment*, of subparagraph (2) *Discounts*, in section (e) *Schedule of Service Charges and Discounts* is amended to read as follows:

(e) *Schedule of service charges and discounts.* (1) * * *

(2) *Discounts.* (i) * * *
(ii) *Prompt payment.* The prices set forth in Column II Schedule I for sales on a direct delivery basis (other than quantity sales) shall be subject to a dis-

count of \$0.25 per ton when paid within ten days from the date of delivery.

This amendment to Order No. G-9 under Revised Maximum Price Regulation No. 122 shall become effective February 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-4511; Filed, March 30, 1944;
3:47 p. m.]

[Region III Order G-9 Under RMPR 122,
Amtd. 3]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 3 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That sub-paragraph 2, paragraph B, Part I under Schedule 1, section (c) in Order No. G-9 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

Column I	Column II	Column III
1. * * *	*	*
2. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller), excepting coal produced at Mine Index No. 285 of the Old Ben Coal Corporation:		
a. Mine Price Classification A	\$0.15	\$8.10
b. Mine Price Classifications B through H	8.70	7.70
c. Mine Price Classifications J through M	8.55	7.65
d. Mine Price Classifications N and lower	8.30	7.50

This amendment to Order No. G-9 under Revised Maximum Price Regulation No. 122 shall become effective March 18, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 18, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4512; Filed, March 30, 1944;
3:47 p. m.]

[Region III Order G-30 Under RMPR 122] SOLID FUELS IN HAMILTON COUNTY AND MILFORD, OHIO

Order No. G-30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Hamilton County, Ohio, and in the city of Milford, Ohio.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.259 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the County of Hamilton, Ohio, and within the corporate limits of Milford, Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall,

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-30 but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order;

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit;

(iii) Using any other device by which a higher than maximum price is obtained directly or indirectly;

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of coal—(1) Price schedules.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II shows maximum prices for cash or credit sales to domestic consumers on a "direct delivery" basis; Column III shows maximum prices for cash or credit sales to commercial or industrial consumers on a "direct delivery" basis. All prices are for sales on a net ton basis.

Column I	Column II	Column III
I. High Volatile Bituminous Coals from Producing District Nos. 7 and 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky):		
A. Lump, Size Group Nos. 1 and 2 (bottom size larger than 3") excepting coals in Mine Price Classifications A through D:		
1. From the Harlan and Raven Rock, Harlan and Creech, Upper Banner, Splash Dam, Clinchwood, Elkhorn 1 and 2, No. 2 Gas, Dorothy, and Millers, Creek Seams, in Mine Price Classifications E through J.....	\$8.15	\$7.90
2. All other coals in Mine Price Classifications G and lower excepting coal from Mine Index No. 413.....	7.60	7.35
B. Egg, Size Groups 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 3" and smaller) in Mine Price Classifications G and lower.....	7.30	7.05
C. Stoker, Size Group No. 10 (top size 1 1/4" and smaller x bottom size 3 1/8" and larger) in Mine Price Classifications B and lower:		
1. Treated.....	7.95	7.70
2. Untreated.....	7.85	7.60
D. Screenings, Size Group No. 20 (larger than 3/4" x 0 but not exceeding 2" x 0), and yard screenings.....		5.80
II. Low Volatile Bituminous Coals from Producing District Nos. 7 and 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky), excepting Mine Index No. 73:		
A. Lump, Size Group No. 1 (bottom size larger than that designated for screened Run of Mine) in Mine Price Classifications A through C.....	9.20	8.95
B. Egg, size group No. 2 (top size larger than 3" x bottom size no limit) in Mine Price Classifications A through C.....	9.20	8.95
C. Stoker, or deducted screenings, Size Group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4") in Mine Price Classification A (treated and untreated).....	7.70	7.45
D. Screenings, Size Group No. 8 (larger than 3/4" x 0 but not exceeding 1 1/4" x 0) and Yard screenings.....		5.80
III. Coke (excluding reclaimed or reject coke), Nut and Egg Size.....	10.35	10.10

(2) *Discounts.* All prices quoted in Column II shall be subject to a discount of \$1.00 per ton on all "yard sales" to other dealers for resale. All prices quoted in Column III shall be subject to a discount of \$.50 per ton on all "yard sales" to commercial and industrial consumers.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-30 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and

only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Use of conveyor or chute to convey coal from truck to bin or use of high lift truck to deliver coal to bin, 50¢ per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state the service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing:

the date of the delivery, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Cincinnati District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The term "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant, operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means discharging the fuel directly from the seller's truck at a point where this can be done and in the customary manner at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Commercial and industrial sales" shall mean sales in quantities totaling 35 tons or more in one year to one buyer and delivered to one place to churches, apartment building of four or more apartments, to greenhouses, and to commercial and industrial establishments.

(7) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-30 under Revised Maximum Price Regulation No. 122 shall become effective April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: March 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4513; Filed, March 30, 1944;
3:47 p. m.]

[Region III Order G-45 Under RMPR 122]

SOLID FUELS IN BOONE, CAMPBELL, AND KENTON COUNTIES, KY.

Order No. G-45 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Boone, Campbell, and Kenton Counties, Kentucky.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.259 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Counties of Boone, Campbell, and Kenton, in the State of Kentucky. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuel at prices higher than the maximum prices set by this Order No. G-45 but less than maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order.

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit.

(iii) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of solid fuel—*

(1) *Price schedules.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II shows maximum prices for cash or credit sales to domestic consumers on a "direct delivery" basis; Column III shows maximum prices for cash or credit sales to commercial or industrial consumers on a "direct delivery" basis. All prices are for sales on a net ton basis.

Column I	Column II	Column III
I. High Volatile Bituminous Coals from Producing District Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky):		
A. Lump, Size Group Nos. 1 and 2 (bottom size larger than 3") excepting coals in Mine Price Classifications A through D:		
1. From the Harlan and Raven Rock, Harlan and Creech, Upper Banner, Splash Dam, Clinchwood, Elkhorn 1 and 2, No. 2 Gas, Dorothy, and Millers, Creek Seams, in Mine Price Classifications E through J	\$8.15	\$7.90
2. All other coals in Mine Price Classifications G and lower excepting coal from Mine Index No. 413	7.60	7.35
B. Eggs, Size Groups 6 & 7 (top size larger than 3" but not exceeding 6" x bottom size 3" and smaller) in Mine Price Classifications G and lower	7.30	7.05
C. Stoker, Size Group No. 10 (top size 1 1/4" and smaller x bottom size 1/4" and larger) in Mine Price Classifications B and lower:		
1. Treated	7.95	7.70
2. Untreated	7.85	7.60
D. Screenings, Size Group No. 20 (larger than 3/4" x 0 but not exceeding 2" x 0), and yard screenings	5.45	
II. Low Volatile Bituminous Coals from Producing District Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky), excepting Mine Index No. 73:		
A. Lump, Size Group No. 1 (bottom size larger than that designated for screened Run of Mine) in Mine Price Classifications A through C	9.20	8.95
B. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit) in Mine Price Classifications A through C	9.20	8.95
C. Stoker, or dedusted screenings, Size Group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4") in Mine Price Classification A (treated and untreated)	7.70	7.45
D. Screenings, Size Group No. 8 (larger than 3/4" x 0 but not exceeding 1 1/4" x 0) and Yard Screenings	5.45	
III. Coke (excluding reclaimed or reject coke), Nut and Egg Size	10.35	10.10

(2) *Discounts.* All prices quoted in Column II shall be subject to a discount of \$1.00 per ton on all "yard sales" to other dealers for resale. All prices quoted in Column III shall be subject to a discount of \$.50 per ton on all "yard sales" to commercial and industrial consumers.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this order No. G-45 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Per ton
Use of conveyor or chute to convey coal
from truck to bin or use of high lift
truck to deliver coal to bin----- 50¢

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided, the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political sub-division thereof.

(g) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state the service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating

any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Lexington District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The term "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant, operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means discharging the fuel directly from the seller's truck at a point where this can be done and in the customary manner at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Commercial and industrial sales" shall mean sales in quantities totaling 35 tons or more in one year to one buyer and delivered to one place to churches, apartment building of four or more apartments, to greenhouses, and to commercial and industrial establishments.

(7) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-45 under Revised Maximum Price Regulation No. 122 shall become effective April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4514; Filed, March 30, 1944;
3:48 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on the 28th of March 1944.

REGION II

Binghamton Order No. 9, Amendment No. 1, filed 2:57 p. m.
 Buffalo Order No. 2-F, filed 3:00 p. m.
 Erie Order No. 11, Amendment No. 1, filed 2:49 p. m.
 Erie Order No. 12, Amendment No. 1, filed 2:49 p. m.
 Erie Order No. 13, Amendment No. 1, filed 2:49 p. m.
 Trenton Order No. 11, Amendment No. 1, filed 2:56 p. m.
 Trenton Order No. 12, Amendment No. 1, filed 2:57 p. m.

REGION III

Charleston Order No. 1-F, Amendment No. 14, filed 2:57 p. m.
 Charleston Order No. 1-F, Amendment No. 15, filed 2:52 p. m.
 Charleston Order No. 3-F, Amendment No. 11, filed 2:53 p. m.
 Charleston Order No. 3-F, Amendment No. 12, filed 2:53 p. m.
 Charleston Order No. 3-F, Amendment No. 13, filed 2:53 p. m.
 Charleston Order No. 4-F, Amendment No. 8, filed 2:53 p. m.
 Charleston Order No. 5-F, Amendment No. 7, filed 2:54 p. m.
 Charleston Order No. 6-F, Amendment No. 5, filed 2:55 p. m.
 Charleston Order No. 32, filed 2:55 p. m.
 Charleston Order No. 35, filed 2:56 p. m.
 Cincinnati Order No. 1-F, Amendment No. 22, filed 2:50 p. m.
 Cincinnati Order No. 2-F, Amendment No. 15, filed 2:50 p. m.
 Detroit Order No. 1-F, Amendment No. 7, filed 2:59 p. m.
 Escanaba Order No. 25, filed 3:00 p. m.
 Indianapolis Order No. 4-F, Amendment No. 8, filed 2:50 p. m.
 Indianapolis Order No. 5-F, Amendment No. 8, filed 2:50 p. m.
 Indianapolis Order No. 6-F, Amendment No. 8, filed 2:51 p. m.
 Indianapolis Order No. 8-F, Amendment No. 8, filed 2:51 p. m.
 Indianapolis Order No. 9-F, Amendment No. 8, filed 2:51 p. m.
 Indianapolis Order No. 11-F, Amendment No. 8, filed 2:52 p. m.
 Indianapolis Order No. 10-F, Amendment No. 8, filed 2:52 p. m.

REGION IV

Atlanta Order No. 1-F, Amendment No. 8, filed 2:44 p. m.
 Atlanta Order No. 3-F, Amendment No. 7, filed 2:44 p. m.
 Atlanta Order No. 5-F, Amendment No. 5, filed 3:44 p. m.
 Memphis Order No. 4-F, Amendment No. 26, filed 2:52 p. m.
 Nashville Order No. 5-F, Amendment No. 9, filed 2:43 p. m.
 Nashville Order No. 8-F, Amendment No. 1, filed 2:43 p. m.
 Nashville Order No. 9-F, Amendment No. 1, filed 2:43 p. m.
 Raleigh Order No. 11, Amendment No. 1, filed 2:42 p. m.
 Raleigh Order No. 11, Amendment No. 2, filed 2:42 p. m.
 Raleigh Order No. 1-W, filed 2:36 p. m.
 Raleigh Order No. 5-F, filed 2:42 p. m.

REGION V

Dallas Order No. G-15, filed 3:02 p. m.
 St. Louis Order No. G-13, filed 3:01 p. m.

St. Louis Order No. G-14, filed 3:01 p. m.
 Wichita Order No. 2-F, Amendment No. 1, filed 2:47 p. m.
 Wichita Order No. 3-F, filed 2:48 p. m.
 Wichita Order No. G-17, filed 2:46 p. m.
 Wichita Order No. G-18, filed 2:47 p. m.

REGION VI

Duluth-Superior Order No. 1-F, Amendment No. 9, filed 2:46 p. m.
 North Platte Order No. 15, filed 3:04 p. m.

REGION VII

Utah Order No. F-3, Amendment No. 3, filed 2:35 p. m.
 Utah Order No. F-4, Amendment No. 3, filed 2:35 p. m.
 Utah Order No. F-5, Amendment No. 3, filed 2:36 p. m.

REGION VIII

Fresno Order No. 17, filed 2:59 p. m.
 Fresno Order No. 17, Amendment No. 1, filed 2:59 p. m.
 Seattle Order No. 22, Amendment No. 2, filed 3:02 p. m.
 Seattle Order No. 23, Amendment No. 1, filed 3:03 p. m.
 Seattle Order No. 24, Amendment No. 1, filed 3:03 p. m.
 Seattle Order No. 25, Amendment No. 1, filed 3:03 p. m.
 Seattle Order No. 26, Amendment No. 1, filed 3:03 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
 Secretary.

[F. R. Doc. 44-4568; Filed, March 31, 1944;
 11:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-87, 59-7]

FEDERAL LIGHT & TRACTION CO., ET AL.

ORDER DISAPPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1944.

In the matter of Federal Light & Traction Company and its subsidiary companies, File No. 54-87; and Cities Service Power & Light Company and its subsidiary companies, File No. 59-7.

The Commission having, on August 17, 1943, issued an order pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 respecting the holding-company system of Cities Service Power & Light Company and the holding-company system of Federal Light & Traction Company, both registered public utility holding companies, in which order jurisdiction was reserved on the issue of the retainability by Federal Light & Traction Company of its interests in The Tucson Gas Electric Light and Power Company and Deming Ice and Electric Company, both public utility operating companies and subsidiaries of Federal Light & Traction Company;

Federal Light & Traction Company having filed a plan pursuant to section 11 (e) of the said act proposing, among other things, a merger of Albuquerque Gas and Electric Company, Deming Ice

and Electric Company, The Las Vegas Light & Power Company, New Mexico Power Company, The Trinidad Electric Transmission, Railway and Gas Company with The Tucson Gas Electric Light and Power Company, and proceedings upon the said plan having been, by order, consolidated with proceedings upon the issues reserved in the aforementioned order of August 17, 1943, hearings having been held after due notice at which evidence as to the retainability of The Tucson Gas Electric Light and Power Company and Deming Ice and Electric Company was received, such evidence, and other evidence received, relating also to the question whether the plan complies with the provisions of section 11 (e) and could be carried out pursuant to the provisions of section 10, briefs and oral argument having been waived and the Commission having considered the matter and this day issued its findings and opinion thereon, pursuant to the said findings and opinion.

It is ordered, That Federal Light & Traction Company shall sever its relationships with The Tucson Gas Electric Light and Power Company and with Tucson Rapid Transit Company, which operates in the territory of The Tucson Gas Electric Light and Power Company, by disposing, in any appropriate manner not in contravention of the applicable provisions of the act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control, and holding of securities issues and properties owned, controlled, or operated by, the said companies; and

It is further ordered, That Federal Light & Traction Company shall similarly dispose of any interest, direct or indirect in the properties of Stonewall Electric Company adjacent to the properties of The Tucson Gas Electric Light and Power Company: *Provided, however*, That Federal Light & Traction Company may, within the time fixed for compliance with this order by the said act, elect to retain its interests in The Tucson Gas Electric Light and Power Company and in the properties of Stonewall Electric Company adjacent thereto, in which event it shall dispose of all its other interests save those in Deming Ice and Electric Company and Tucson Rapid Transit Company; and jurisdiction is reserved to consider the application of the said act to the retainability of the latter interests in the event the election herein noted is made; and

It is further ordered, That the plan filed by Federal Light & Traction Company pursuant to the provisions of section 11 (e) be, and the same hereby is, disapproved, insofar as it provides for the continuation of joint control of the properties of The Tucson Gas Electric Light and Power Company together with those of the remaining subsidiaries of Federal Light & Traction Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
 Secretary.

[F. R. Doc. 44-4543; Filed, March 31, 1944;
 11:04 a. m.]

[File No. 812-349]

NATIONAL AVIATION CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March, A. D. 1944.

National Aviation Corporation, a registered investment company, having filed an application under the provisions of section 10 (f) of the Investment Company Act of 1940 for an order permitting it to purchase as a shareholder pursuant to rights its aliquot portion of shares of an offering by Northwest Airlines, Incorporated, of additional common stock to holders of its common stock at a price of \$16 per share in the ratio of 1 share of additional common stock for each 2 shares of common stock held, such offerings being underwritten in part by Hornblower and Weeks, 40 Wall Street, N. Y., N. Y., and Paine, Webber, Jackson and Curtis, 25 Broad Street, N. Y., N. Y., of which firms certain directors of the applicant are affiliated persons;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on April 5, 1944 at 10:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Robert P. Reeder, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 44-4544; Filed, March 31, 1944;
11:04 a. m.]

WAR MANPOWER COMMISSION.

[Directive No. X, Amdt. 2]

TRANSFER AND RELEASE OF GOVERNMENT EMPLOYEES

By virtue of the authority vested in me as Chairman of the War Manpower

Commission by Executive Orders Nos. 9139 and 9243 (7 F.R. 2919, 7213), paragraphs I and VI of War Manpower Commission Directive No. X, entitled "Directive With Respect to the Transfer and Release of Government Employees," (7 F.R. 7298) as amended by War Manpower Commission Directive No. XVI (7 F.R. 11050), are hereby amended to read as follows:

I. Whenever the Civil Service Commission shall find that a civilian employee of any department or agency of the executive branch of the Federal Government can make a more effective contribution to the war effort, in a position in some other such department or agency, the Commission with or without the consent of the employee or of the department or agency in which he is employed or to which he is transferred, shall direct the transfer of such employee to such position: *Provided*, That whenever such transfer is directed to a position beyond reasonable commuting distance from the home of the employee concerned, the department or agency to which he is transferred shall reimburse the employee for the cost of transporting himself, and his household goods, out of funds available to the agency for expenses of travel or transportation, in accordance with Government regulations.

VI. Any employee whose transfer is to be directed pursuant to this directive without the consent of such employee shall be afforded, prior to such transfer, a fair opportunity to present to the Civil Service Commission evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. No employee shall, without his consent, be transferred to a position at a lower salary than he received at the time such transfer is directed.

Dated: March 27, 1944.

PAUL V. McNUTT,
Chairman.

[F. R. Doc. 44-4505; Filed, March 30, 1944;
2:32 p. m.]

PATERSON, N. J., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Paterson, New Jersey, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of

Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Paterson, New Jersey, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Paterson, New Jersey, Area shall include:

Passaic County; Bergen County (except Lyndhurst Township and North Arlington Borough); North Bergen Township, Weehawken Township, Union City, Guttenberg Town, Secaucus Town, West New York Town in Hudson County; and Pequannock Township, Butler Borough, Kinnelon Borough, Lincoln Park Borough, Riverdale Borough in Morris County.

II. The effective date of this designation is April 1, 1944.

III. Not later than the effective date, each employer in the Paterson, New Jersey, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 17, 1944.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-4525; Filed, March 31, 1944;
10:31 a. m.]